
WELSH STATUTORY INSTRUMENTS

2013 No. 898

The National Health Service (Pharmaceutical Services) (Wales) Regulations 2013

PART 3

Determination of controlled localities

Areas that are controlled localities

6.—(1) Any area that was, or was part of, a controlled locality for the purposes of the 1992 Regulations—

- (a) immediately before these Regulations come into force; or
- (b) following a determination made in accordance with regulation 49(2),

continues to be, or to be part of, a controlled locality for the purposes of these Regulations (unless or until it is determined that the area is no longer, or is no longer part of, a controlled locality).

(2) Subject to paragraph (3), a Local Health Board must in response to an application submitted in writing by a Local Medical Committee or a Local Pharmaceutical Committee, or may at any other time that it may decide, consider the question of whether or not any particular area within the area for which it is established is, because it is rural in character, a controlled locality or part of a controlled locality.

(3) Where the question of whether or not any particular area is or is part of a controlled locality has been determined by a Local Health Board or on appeal by the Welsh Ministers (whether under these Regulations or the 1992 Regulations) that question must not be considered again in relation to the particular area—

- (a) for five years, beginning on the date of the determination of the Local Health Board or, if that determination was appealed, the date of the decision on the appeal; unless
- (b) the Local Health Board is satisfied (within that five years) that there has been a substantial change in circumstances affecting the area since the question was last determined.

(4) Parts 1 and 2 of Schedule 2 specify the procedures to be followed by a Local Health Board when determining whether or not an area is a controlled locality under this regulation.

Appeals against decisions under Part 3

7. Parts 1 and 2 of Schedule 3 make provision for appeals to the Welsh Ministers in respect of decisions made under this Part.