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STATUTORY INSTRUMENTS

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**2007 No. 3101**

**The European Qualifications (Health and  
Social Care Professions) Regulations 2007**

**PART 5**

**PHARMACISTS AND PHARMACY TECHNICIANS: THE  
PHARMACISTS AND PHARMACY TECHNICIANS ORDER 2007**

**Amendment of article 17**

**78.** In article 17 (form, manner and content of applications for registration in the Register of Pharmacists or retention in that register)—

(a) in paragraph (1)—

(i) for “registration in the Register of Pharmacists, or for retention in that register,” substitute “ registration in Part 1 or 2 of the Register of Pharmacists, or for retention in those parts of that register, ”, and

(ii) after sub-paragraph (b)(i) insert—

“(ia) where the applicant is an exempt person, proof that he is a national of a relevant European State or (where he is not a national of a relevant European State) proof of the Community right by virtue of which he is an exempt person,”; and

(b) for paragraphs (4) to (6) substitute—

“(4) Paragraphs (5) to (8) apply in relation to an exempt person (“E”)—

(a) to whom article 12(1)(b) or (ba) applies; and

(b) who is making an application for entry in Part 1 or 2 of the Register of Pharmacists.

(5) For the purpose of determining whether E's fitness to practise is impaired, the Registrar shall accept as sufficient evidence of E's good health a certificate which—

(a) attests to E's good physical and mental health; and

(b) is required of a person who wishes to practise as a pharmacist in E's attesting State.

(6) If no such certificate is required of persons who wish to practise as a pharmacist in E's attesting State, for the purpose of determining whether E's fitness to practise is impaired, the Registrar shall accept as sufficient evidence of E's good health a certificate which—

(a) attests to E's good physical and mental health; and

(b) is issued by a competent authority in E's attesting State.

(7) For the purpose of determining whether E's fitness to practise is impaired, the Registrar shall accept as sufficient evidence of E's good character a certificate which—

- (a) attests to E's good character or good repute; and
- (b) is issued by a competent authority in E's attesting State.

(8) If no such certificate is issued by a competent authority in E's attesting State, for the purpose of determining whether E's fitness to practise is impaired, the Registrar shall accept as sufficient evidence of E's good character a certificate—

- (a) attesting to the authenticity of a declaration on oath made by E—
  - (i) before a competent judicial or administrative authority, notary or qualified professional body of E's attesting State, and
  - (ii) attesting to E's good character; and
- (b) issued by the authority, notary or body referred to in sub-paragraph (a)(i).

In this paragraph, “declaration on oath” includes a solemn declaration.

(9) In paragraphs (5) to (8) the “attesting State”, in relation to E, is—

- (a) the relevant European State in which E obtained his qualification in pharmacy;  
or
- (b) (if different) the relevant European State from which E comes to Great Britain.

(10) The Registrar shall not accept any certificate referred to in paragraph (5), (6), (7) or (8) if it is presented more than three months after the date on which it was issued.”.

**Changes to legislation:**

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 78.