
STATUTORY INSTRUMENTS

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 39

91. In article 39^{M1} (continuing professional development)—

- (a) in paragraph (1), after “Part 1” insert “ or 3 ”; and
- (b) after paragraph (2) insert—

“(2A) Paragraphs (1) and (2)(c), so far as relating to a person (“P”) who is a registrant only as a result of being registered in Part 3 of one of the Society's registers, have effect subject to, respectively, paragraphs (2B) and (2C).

(2B) Rules under paragraph (1)—

- (a) may not impose requirements on P if P is required to undertake, in P's home State, continuing professional development in relation to the profession of pharmacy or pharmacy technician (as the case may be); and
- (b) where they impose requirements on P—
 - (i) shall take account of the fact that P is fully qualified to pursue that profession in P's home State, and
 - (ii) shall specify that continuing professional development which P is required to undertake by the requirements may be undertaken outside Great Britain.

(2C) Where rules make provision such as is mentioned in subsection (2)(c), the rules must secure that any sanction imposed in relation to P by or under that provision is appropriate and proportionate in view of P's continued lawful establishment in P's home State as a pharmacist or pharmacy technician (as the case may be).

(2D) In paragraphs (2B) and (2C) “home State”, in relation to P, means the relevant European State in which P is lawfully established as a pharmacist or pharmacy technician (as the case may be).”.

Marginal Citations

M1 Article 39 has been brought into force for the purpose only of the exercise of the power to make rules.

Changes to legislation:

There are currently no known outstanding effects for the The European Qualifications (Health and Social Care Professions) Regulations 2007, Section 91.