

STATUTORY INSTRUMENTS

2010 No. 231

The Pharmacy Order 2010

PART 4

Registration

Notification by the Registrar: entry and renewal

24.—(1) Paragraphs (2) to (4) apply where a person (“A”) applies under article 23 for entry in Part 1 of the Register as a pharmacist or in Part 2 of the Register as a pharmacy technician.

(2) The Registrar must, within the period of one month beginning with the date of receipt of the application—

- (a) acknowledge receipt of the application; and
- (b) inform A of any missing document required for the purposes of the application.

^{F1}(2A)

^{F2}(2B)

^{F3}(2C) Where A holds a specified state qualification, the Registrar must—

- (a) give A adequate time to complete the requirements and procedures of the application process; and
- (b) deal promptly with A’s application.]

(3) The Registrar must, within the [^{F4}relevant period], notify A—

- (a) of the result of the application; and
- (b) if the Registrar refuses the application, of the reasons for the refusal, and of any right of appeal that A has to the Appeals Committee under article 40.

^{F5}(4) Any failure by the Registrar to inform A of—

- ^{F6}(a)
- (b) the result of the application as required by paragraph (3)(a),

is to constitute ^{F7}... a decision by the Registrar to refuse the application ^{F8}... which is to be taken as having been made at the end of the [^{F9}relevant period].]

^{F10}(4A) For the purposes of this article, the relevant period is:

- (a) where A holds a specified state qualification, the period of four months beginning with the relevant date;
- (b) in any other case, the period of three months beginning with that date.]

^{F11}(5)

^{F12}(5A) In calculating [^{F13}the [^{F14}relevant period]], the following are to be disregarded—

- (a) any period which begins on the date on which the Registrar makes a request under article 23A(4) and ends on the date on which A complies with the request; or
 - (b) any period which begins on the date on which the Registrar requires the applicant to undergo an examination or other assessment under article 23A(6)(a) and ends on the date on which the applicant complies with the requirement under article 23A(6)(b).]
- (6) Paragraphs (7) to (9) apply where a person (“A”) applies under article 23 for the renewal of an entry in Part 1 of the Register as a pharmacist or in Part 2 of the Register as a pharmacy technician.
- (7) The Registrar must, within the period of one month beginning with the date of receipt of the application—
- (a) acknowledge receipt of the application; and
 - (b) inform A of any missing document required for the purposes of the application.
- (8) The Registrar must, within the specified period, notify A—
- (a) of the result of the application; and
 - (b) if the Registrar refuses the application, of the reasons for the refusal and of any right of appeal that A has to the Appeals Committee under article 40.
- (9) Any failure by the Registrar to inform A of the result of the application as required by paragraph (8)(a) is to constitute a decision by the Registrar to refuse the application which is to be taken as having been made at the end of the specified period.
- (10) In paragraphs (8) and (9) “the specified period” means the period of one month beginning with the relevant date.
- (11) In this article, “the relevant date” means—
- (a) the date on which the Registrar receives the application; or
 - (b) if any document required for the purposes of the application, or any fee which is payable in respect of that application by virtue of rules made under article 36(1)(a) (“the relevant fee”), is missing when the Registrar first receives the application, the date on which the Registrar first has all the documents required for those purposes together with the relevant fee.
- [^{F15}(12) A document that is requested or required under article 23A(4) or (6)(b) is not to be treated as missing for the purposes of this article.]

Textual Amendments

- F1** Art. 24(2A) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(2)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Art. 24(2B) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(2)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Art. 24(2C) inserted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 3 para. 84(a)**
- F4** Words in art. 24(3) substituted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 3 para. 84(b)**
- F5** Art. 24(4) substituted (1.6.2016) by The Health Care and Associated Professions (Knowledge of English) Order 2015 (S.I. 2015/806), arts. 1(3), **50(3)**; S.I. 2015/1451, art. 6(b)

- F6** Art. 24(4)(a) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(4)(a)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in art. 24(4) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(4)(b)(i)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in art. 24(4) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(4)(b)(ii)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in art. 24(4) substituted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 3 para. 84(b)**
- F10** Art. 24(4A) inserted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 3 para. 84(c)**
- F11** Art. 24(5) omitted (31.12.2020) by virtue of The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(5)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Art. 24(5A) inserted (1.6.2016) by The Health Care and Associated Professions (Knowledge of English) Order 2015 (S.I. 2015/806), arts. 1(3), **50(5)**; S.I. 2015/1451, art. 6(b)
- F13** Words in art. 24(5A) substituted (31.12.2020) by The European Qualifications (Health and Social Care Professions) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/593), reg. 1(2), **Sch. 2 para. 16(6)** (with reg. 12A, Sch. 2 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 10(3)-(7)); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in art. 24(5A) substituted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023 (S.I. 2023/1286), reg. 1, **Sch. 3 para. 84(d)**
- F15** Art. 24(12) inserted (1.6.2016) by The Health Care and Associated Professions (Knowledge of English) Order 2015 (S.I. 2015/806), arts. 1(3), **50(6)**; S.I. 2015/1451, art. 6(b)

Commencement Information

- I1** Art. 24 in force at 10.2.2010 for specified purposes, see **art. 1(3)**
- I2** Art. 24(1)-(5), (11) in force at 27.9.2010 in so far as not already in force by S.I. 2010/1621, art. 2(1), **Sch.**
- I3** Art. 24(6)-(10) in force at 4.1.2011 in so far as not already in force by S.I. 2010/1621, **art. 2(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Pharmacy Order 2010, Section 24.