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STATUTORY INSTRUMENTS

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**2010 No. 231**

**The Pharmacy Order 2010**

**PART 5**

**Education, training and acquisition of experience  
and continuing professional development**

**Continuing professional development**

**43.**—(1) In connection with its general function under article 4(3)(e), in so far as that function relates to the continuing professional development of registrants, the Council must—

- (a) set the standards of proficiency for the safe and effective practice of pharmacy which it is necessary for a registrant to maintain in order to have an entry in Part 1 or 2 of the Register renewed; and
- (b) set the standards of continuing professional development which it is necessary for a registrant to maintain in order to continue to meet the standards of proficiency referred to in sub-paragraph (a).

(2) The Council must publish the standards set under this article, as they exist from time to time, in such manner as it considers appropriate.

(3) The Council must—

- (a) consult such persons as it considers appropriate about the development of criteria by reference to which compliance with the standards set under paragraph (1)(b) is to be monitored; and
- (b) publish those criteria as they exist from time to time in such manner as it considers appropriate.

(4) The Council must—

- (a) adopt and maintain a framework relating to the requirements and conditions to be met by registrants in respect of their continuing professional development; and
- (b) require registrants—

- (i) to complete an annual declaration regarding their compliance with such requirements and conditions in respect of their continuing professional development as they are obliged to meet by that framework, and

- (ii) to submit records about any continuing professional development undertaken by them to the Registrar for review.

(5) The framework adopted by the Council under paragraph (4)(a)—

(a) must include provision relating to—

- (i) the amount and type of continuing professional development that a registrant is required to undertake,

- (ii) the information to be provided by a registrant about the continuing professional development that the registrant has undertaken and the form and manner in which that information is to be provided,
  - (iii) the times at which information about the continuing professional development that a registrant has undertaken is to be provided (including any continuing professional development that relates to an annotation in respect of a particular specialisation that is to be recorded in the Register),
  - (iv) the keeping of records about the continuing professional development undertaken by registrants; and
- (b) must require that any continuing professional development that is undertaken by a registrant in accordance with it is relevant to—
  - (i) the safe and effective practice of pharmacy, and
  - (ii) a learning need for the individual registrant that is relevant to the current scope of the practice of pharmacy including any specialisation of that individual registrant and the environment in which they practise;
- (c) in so far as it relates to a person (“P”) who is a registrant only as a result of being entered in Part 4 or 5 of the Register—
  - (i) 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 pharmacist or, as the case may be, pharmacy technician; and
  - (ii) where they impose requirements on P—
    - (aa) must take account of the fact that P is fully qualified to pursue the profession in P’s home State, and
    - (bb) must specify that continuing professional development which P is required to undertake by the requirements may be undertaken outside Great Britain.
- (6) The Council must publish the framework adopted by it under paragraph (4)(a), as it exists from time to time, in such manner as it considers appropriate.
- (7) The Council must make such provision in rules as it considers appropriate with respect to registrants who fail to comply with any requirements of the framework adopted by the Council under paragraph (4)(a).
- (8) Rules under paragraph (7) must—
  - (a) make provision about the circumstances in which the Registrar may remove the entry of a registrant from the Register, or impose such other remedial measures as may be prescribed in the rules, where the registrant—
    - (i) has failed to comply with the requirements or conditions of the framework adopted by the Council under paragraph (4)(a) relating to the continuing professional development of registrants; or
    - (ii) has made a false declaration about compliance with those requirements or conditions;
  - (b) where the framework adopted by the Council under paragraph (4)(a) makes provision in respect of a person (“P”) who is a registrant only as a result of being entered in Part 4 or 5 of the Register, secure that any sanction imposed in relation to P by reference to that provision is appropriate and proportionate in view of P’s continued lawful establishment in P’s home State as a pharmacist or, as the case may be, a pharmacy technician;

- (c) make provision for the Registrar to send a statement in writing to the registrant concerned at the registrant's last known home address giving that registrant notice of the removal and the reasons for it and of right of appeal to the Appeals Committee under article 40; and
  - (d) make provision for the suspension of a registrant's entry in the Register pending the outcome of any appeal against a decision to remove the registrant from the Register.
- (9) In this article "home State", in relation to a registrant entered in Part 4 or 5 of the Register, means the relevant European State in which the registrant is lawfully established as a pharmacist or, as the case may be, a pharmacy technician.