
STATUTORY INSTRUMENTS

2013 No. 349

**The National Health Service (Pharmaceutical and
Local Pharmaceutical Services) Regulations 2013**

PART 3

General matters relating to pharmaceutical lists and applications in respect of them

Future improvements or better access: consequences of additional matters

21.—(1) If the NHSCB is satisfied as mentioned in regulation 20(2)(a), it may—

- (a) defer determination of the application;
- (b) invite applications from other persons to offer to secure the future improvements or better access mentioned in regulation 20(1) that the applicant is offering to secure; and
- (c) consider, at the same time as the applicant's application, any application it receives—
 - (i) as a consequence of the invitation issued in accordance with sub-paragraph (b), or
 - (ii) that, even if it was not received in response to that invitation, is in any event from another person offering to secure the future improvements or better access mentioned in regulation 20(1) that the applicant is offering to secure,

but it must not, pursuant to this paragraph, defer consideration of the application for longer than 6 months.

(2) If the NHSCB is satisfied as mentioned in regulation 20(2)(b), it may defer consideration of the application for such period as is reasonable in the circumstances, having regard to when the future circumstances specified in accordance with paragraph 4(b) of Schedule 1 are likely to arise.

(3) If the NHSCB is satisfied as mentioned in regulation 20(2)(c), it may defer consideration of the application until it can be considered at the same time as the other application.

(4) If the NHSCB is satisfied as mentioned in regulation 20(2)(d), it may defer consideration of the application until after the appeal has reached its final outcome.

(5) If the NHSCB is satisfied as mentioned in regulation 20(2)(e) to (i), it must refuse the application.