

SCHEDULE

The General Pharmaceutical Council (Amendment of Miscellaneous Provisions) Rules 2016

PART 3

Amendments to the General Pharmaceutical Council (Registration) Rules 2010

New rule 8A of the Registration Rules

3. After rule 8 of the Registration Rules insert—

“Duty to provide information about indemnity arrangements: registrants

8A.—(1) A registrant entered in Part 1 or, as the case may be, Part 2 of the Register must provide such information as the Registrar may require by notice in writing for the purposes of determining whether, at any time, there is in force an indemnity arrangement which provides appropriate cover in relation to the registrant or to registrants of a particular description.

(2) Information which may be required by a notice under paragraph (1) includes, in particular—

- (a) the name and address of any employer of the registrant;
- (b) a description of the activities within the scope of the registrant’s practice as a pharmacist or, as the case may be, a pharmacy technician;
- (c) details of any insurance policy or other arrangement which provides appropriate cover in relation to the registrant which—
 - (i) was in force in respect of any period specified in the notice,
 - (ii) is in force when the notice is issued, or
 - (iii) will be in force by the time the registrant begins to practise as a pharmacist or, as the case may be, a pharmacy technician; and
- (d) the name of any person or persons providing any such insurance policy or other arrangement.

(3) The registrant must provide the information required by a notice under paragraph (1) within such period (not being less than 7 days from the date on which the Registrar issues the notice) as may be specified in the notice.

(4) A notice under paragraph (1) must inform the registrant that, if the required information is not provided in accordance with the requirements of paragraph (3)—

- (a) the Registrar may, under article 32(8) of the Order, refuse to renew the registrant’s entry in Part 1 or 2 of the Register (as the case may be);
- (b) the Registrar may, under article 32(9)(a) of the Order, remove the registrant’s name from that part of the Register; or
- (c) the registrant’s failure to comply with those requirements may, by virtue of article 32(9)(b) of the Order, be treated as misconduct for the purposes of article 51(1)(a) of the Order.

(5) A registrant entered in Part 1 or, as the case may be, Part 2 of the Register must in the event that there is in force no indemnity arrangement which provides appropriate cover

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in relation to the registrant, inform the Registrar in writing of that fact within 7 days of the cessation of appropriate cover under any such arrangement.”(1).

Amendment of rule 10 of the Registration Rules

4.—(1) Rule 10 of the Registration Rules (entry in the Register)(2) is amended as follows.

(2) In paragraph (2)(a)(iii)—

- (a) omit “and” at the end of sub-paragraph (bb); and
- (b) after sub-paragraph (cc) insert—

“(dd) understands that, upon entry in the Register, the applicant cannot practise as a pharmacist or, as the case may be, a pharmacy technician unless there is in force an indemnity arrangement which provides appropriate cover in relation to the applicant, and

(ee) agrees, in the event that there is in force in relation to the applicant no such arrangement, to inform the Registrar in writing of that fact within 7 days of the cessation of appropriate cover under any such arrangement and understands that the applicant’s entry may be removed from the Register.”.

(3) In paragraph (3)—

- (a) in each of sub-paragraphs (a)(i), (c)(i), (d)(i) and (f)(ii), for “which meets the conditions set out in paragraph (3A)” substitute “to which paragraph (3A) applies”;
- (b) omit “and” at the end of sub-paragraph (j); and
- (c) after sub-paragraph (k) insert
“; and

- (l) evidence, information or documents demonstrating that the applicant has the necessary knowledge of English for the purpose of complying with article 20(1) (a)(iia) of the Order.”(3).

(4) For paragraph (3A) substitute—

“(3A) This paragraph applies to a copy of—

- (a) a United Kingdom passport within the meaning of the Immigration Act 1971 (whether or not the front cover of the passport is included in the copy); or
- (b) any other passport,

which is certified by a notary, solicitor or Commissioner for Oaths as a true copy of an original passport referred to in sub-paragraph (a) or (b).”(4).

(5) In paragraph (5)—

- (a) for “The additional matters referred to in paragraph (4) are—” substitute “The following may, in particular, be required under paragraph (4)—”;

(1) “Indemnity arrangement” and “appropriate cover” are defined in article 32(2) and (3) of the Pharmacy Order 2010.

(2) Rule 10(2)(a)(ii)(cc) and (3)(ga) were inserted by [S.I. 2014/1887](#). Rule 10(3) and (5)(b) were amended, and rule 10(3A) and (3B) were inserted, by [S.I. 2012/3171](#). Rule 10(5)(a), (e) and (f) and (12) were amended, and rule 10(5)(g) was inserted, by [S.I. 2010/2660](#).

(3) A definition of “the necessary knowledge of English” was inserted in article 3(1) of the Pharmacy Order 2010 by [S.I. 2015/806](#). In determining whether a person has the necessary knowledge of English, the Registrar is required to have regard to guidance published by the Council under article 23A of the Pharmacy Order 2010. Article 23A was inserted by [S.I. 2015/806](#).

(4) The definition of “United Kingdom Passport” in section 33 of the Immigration Act 1971 ([c.77](#)) was inserted by paragraph 7(a)(ii) of Schedule 4 to the British Nationality Act 1981 ([c. 61](#)) and amended by section 1(1)(b) of the British Overseas Territories Act 2002 ([c. 8](#)).

- (b) omit “and” at the end of sub-paragraph (f); and
- (c) at the end of sub-paragraph (g) insert
“; and
- (h) in the case of an applicant who provided the evidence referred to in paragraph (3) (ga) by way of a self-declaration—
 - (i) a copy of any insurance policy or other arrangement indemnifying the applicant which is in force, or the details of any such policy or arrangement which will be in force, in relation to the applicant, and
 - (ii) a description of the activities which the applicant intends to undertake when practising as a pharmacist or, as the case may be, a pharmacy technician.”.

Amendment of rule 11 of the Registration Rules

5.—(1) Rule 11 of the Registration Rules (renewal of an entry in the Register)(5) is amended as follows.

- (2) In paragraph (4)(a)—
 - (a) in paragraph (iia), for “provide evidence that” substitute “specify whether”;
 - (b) after that paragraph insert—
 - “(iib) declare that the registrant understands that the registrant cannot practise as a pharmacist or, as the case may be, a pharmacy technician unless there is in force an indemnity arrangement which provides appropriate cover in relation to the registrant,
 - (iic) declare that the registrant agrees, in the event that there is in force in relation to the registrant no such arrangement, to inform the Registrar in writing of that fact within 7 days of the cessation of appropriate cover under any such arrangement and understands that the registrant’s entry may be removed from the Register;”;
 - (c) omit “and” at the end of paragraph (iv); and
 - (d) after paragraph (v) insert
“; and—
 - (vi) specify whether the registrant holds evidence, information or documents demonstrating that the registrant has the necessary knowledge of English for the purpose of complying with article 20(2)(a)(iia) of the Order;”.

- (3) After paragraph (5) insert—
 - “(5A) The registrant must also provide such additional documents, information or evidence as the Registrar may reasonably require for the purposes of verifying the information in, or determining, the application.”.

(4) In paragraph (6)(b), after “as mentioned in the application form” insert “or subsequently required by the Registrar”.

Amendment of rule 12 of the Registration Rules

6. In rule 12 of the Registration Rules (annotations made to an entry in the Register), in paragraph (3)(a)—

(5) Rule 11(4)(a)(iia) was inserted by [S.I. 2014/1887](#).

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- (a) omit “and” at the end of paragraph (v); and
- (b) after paragraph (v) insert—

“(va) specify whether, if an annotation in respect of a specialisation were to be made to the applicant’s entry, there would be in force an indemnity arrangement which provides appropriate cover in relation to the applicant, and”.

Amendment of rule 13 of the Registration Rules

7.—(1) Rule 13 of the Registration Rules (renewal of an annotation made to an entry in the Register) is amended as follows.

- (2) In paragraph (4)(b), after paragraph (iii) insert—

“(iiiia) specify whether, if an annotation in respect of a specialisation were to be renewed, there would be in force an indemnity arrangement which provides appropriate cover in relation to the applicant,”.

- (3) In paragraph (6)(b), after “as mentioned in the application form” insert “or subsequently required by the Registrar”.

Amendment of rule 16 of the Registration Rules

8.—(1) Rule 16 of the Registration Rules (restoration of an entry in the Register) is amended as follows.

- (2) In paragraph (3)(a)—

- (a) omit “and” at the end of paragraph (ii)(bb);
- (b) after paragraph (ii)(cc) insert—

“(dd) that A understands that, upon A’s entry being restored to the Register, A cannot practise as a pharmacist or, as the case may be, a pharmacy technician unless there is in force an indemnity arrangement which provides appropriate cover in relation to A, and

(ee) that A agrees, in the event that there is in force in relation to A no such arrangement, to inform the Registrar in writing of that fact within 7 days of the cessation of appropriate cover under any such arrangement and understands that A’s entry may be removed from the Register,”;

- (c) in paragraph (iii)—

- (i) in each of sub-paragraphs (aa) and (bb), for “the registrant” substitute “A”,
- (ii) in sub-paragraph (bb), for “the registrant’s” substitute “A’s”, and
- (iii) omit “and” at the end of sub-paragraph (bb); and

- (d) after paragraph (iii) insert—

“(iiiia) specify whether A holds evidence, information or documents demonstrating that A has the necessary knowledge of English for the purpose of complying with article 20(1)(a)(ia) of the Order, and”.

Amendment of rule 17 of the Registration Rules

9. In rule 17 of the Registration Rules (restoration of an annotation made to an entry in the Register), in paragraph (3)(a)(i), after sub-paragraph (aa) insert—

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“(ab) whether, if an annotation in respect of a specialisation were to be restored to the applicant’s entry, there would be in force an indemnity arrangement which provides appropriate cover in relation to the applicant.”.