
STATUTORY INSTRUMENTS

2022 No. 930

The National Health Service (Pharmaceutical and Local Pharmaceutical Services) (Amendment) Regulations 2022

Amendment of Schedule 3

7. In Schedule 3 (appeals to the Secretary of State), in Part 3 (determination of appeals), in paragraph 7 (flexibility with regard to the manner or determining appeals), after sub-paragraph (3) insert—

“(4) Where an application for inclusion in a pharmaceutical list has been updated in accordance with paragraph 5A of Schedule 2, the Secretary of State may, on an application from NHS England, defer the Secretary of State’s decision in relation to the application on any ground that NHS England could have relied on for deferring the application pursuant to regulation 34 until—

- (a) the reason for the deferral no longer exists; or
- (b) the outcome of the cause of the deferral is known and NHS England has—
 - (i) decided, in the light of that outcome, whether or not to redetermine the application, and
 - (ii) redetermined the application, if it is to be redetermined.

(5) Where NHS England redetermines an application in accordance with paragraph 5A(2) of Schedule 2 and refuses it, the Secretary of State may direct that the proceedings relating to the appeal are to be brought to an end without a determination of the matter under paragraph 9.”.

Commencement Information

11 [Reg. 7](#) in force at 1.10.2022, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical and Local Pharmaceutical Services) (Amendment) Regulations 2022, Section 7.