
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Pharmaceutical Services) (Wales) Regulations 2020 ([S.I. 2020/1073](#) ([W. 241](#))) (“the Pharmaceutical Regulations”). The Pharmaceutical Regulations govern the provision of pharmaceutical services as part of the National Health Service in Wales under Part 7 of the National Health Service (Wales) Act 2006 (“the Act”).

The scheme for paying for pharmaceutical and local pharmaceutical services in Part 7 of the Act is predicated on the basis that the determining authorities for pharmaceutical remuneration will ordinarily include, in the payments for those services, an amount which is in respect of (but ordinarily slightly more than) the price paid by service providers when they purchased the prescription items that they supply or administer to NHS patients. However, there are powers in Part 7 to enable alternatives to these ordinary remuneration arrangements in some circumstances.

Regulation 4 inserts new regulation 55A into the Pharmaceutical Regulations which provides that, where the Welsh Ministers or the Secretary of State have centrally purchased coronavirus vaccines, coronavirus antivirals or influenza vaccines, and those products are made available to community pharmacies at no cost, the determining authorities for pharmaceutical remuneration are to set a zero or nominal NHS reimbursement price for those products if certain conditions are met. However, this does not prevent the determining authorities from paying community pharmacies for the services (such as professional services) that they provide in conjunction with the supply or administration of those vaccines or antivirals.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.