
STATUTORY INSTRUMENTS

2012 No. 1909

**The National Health Service
(Pharmaceutical Services) Regulations 2012**

PART 2

Pharmaceutical needs assessments

Subsequent assessments

6.—(1) After it has published its first pharmaceutical needs assessment, each Primary Care Trust must publish a statement of its revised assessment—

- (a) within 10 months of the coming into force of any order under section 18 of the 2006 Act (Primary Care Trusts) varying its area that—
 - (i) comes into force on or after the appointed day, or
 - (ii) came into force on a day that is less than 10 months before the appointed day (if it has not already done so); or
- (b) within 3 years of its previous publication of a pharmaceutical needs assessment (whether under these Regulations or the 2005 Regulations).

(2) A Primary Care Trust must make a revised assessment as soon as is reasonably practicable after identifying changes since the publication of its pharmaceutical needs assessment which are relevant to the granting of applications referred to in section 129(2)(c)(i) or (ii) of the 2006 Act⁽¹⁾ (regulations as to pharmaceutical services), unless it is satisfied that making a revised assessment would be a disproportionate response to those changes.

(3) Pending the publication of a statement of a revised assessment, a Primary Care Trust may publish a supplementary statement explaining changes to the availability of pharmaceutical services since the publication of its pharmaceutical needs assessment (and any such supplementary statement becomes part of that assessment), where—

- (a) the changes are relevant to the granting of applications referred to in section 129(2)(c)(i) or (ii) of the 2006 Act; and
- (b) the Primary Care Trust—
 - (i) is satisfied that making a revised assessment would be a disproportionate response to those changes, or
 - (ii) is in the course of making a revised assessment and is satisfied that immediate modification of its pharmaceutical needs assessment is essential in order to prevent significant detriment to the provision of pharmaceutical services in its area.

⁽¹⁾ Section 129(2) has been amended by the Health Act 2009 (c. 21), section 26(2).