
STATUTORY INSTRUMENTS

2014 No. 417

**The National Health Service (Pharmaceutical and
Local Pharmaceutical Services) (Amendment
and Transitional Provision) Regulations 2014**

Amendment of regulation 40 of the principal Regulations

14. In regulation 40 of the principal Regulations (applications for new pharmacy premises in controlled localities: refusals because of preliminary matters), after paragraph (3) insert the following paragraphs—

“(4) Paragraph (2)(b) does not apply where the NHSCB is satisfied that there are reasonable grounds for believing the person making the refused application was motivated (wholly or partly) by a desire for that application to be refused.

(5) The refusal of an application pursuant to paragraph (2)(b), or regulation 40(2)(b) of the 2012 Regulations (applications for new pharmacy premises in controlled localities: refusals because of preliminary matters), is to be ignored for the purposes of the calculation of a 5 year period pursuant to paragraph (2)(b).”.