
WELSH STATUTORY INSTRUMENTS

2020 No. 1073

The National Health Service (Pharmaceutical Services) (Wales) Regulations 2020

PART 5

Applications by NHS pharmacists and NHS appliance contractors for inclusion in or amendment to pharmaceutical lists

Applications involving relocation within a Local Health Board's area

19.—(1) A person who has made an application under regulation 15(1)(a) (applications to be included in or make amendment to a pharmaceutical list) may at any time after making the application, but before the end of the relevant period (as defined in regulation 23 (procedure following grant of an application)), notify the Local Health Board that they wish to change the premises from which they intend to provide pharmaceutical services specified in the application and the Local Health Board may amend the premises specified in the original application if it is satisfied that—

- (a) the change is a relocation,
- (b) the pharmaceutical services specified in the application that would have been provided at the premises specified in the original application will be provided at the new premises, and
- (c) the relocation still meets the need for pharmaceutical services, or pharmaceutical services of a specified type, identified in the relevant pharmaceutical needs assessment.

(2) A Local Health Board may grant an application made by a person under regulation 15(1)(b)(ii) to relocate from listed premises to new premises at which the person intends to provide pharmaceutical services, if it is satisfied that—

- (a) the relocation is to meet a need for pharmaceutical services, or pharmaceutical services of a specified type, identified in the relevant pharmaceutical needs assessment and—
 - (i) the provision of pharmaceutical services will not be interrupted (except for such period as the Local Health Board may for good reason permit),
 - (ii) the premises specified in the application from which the person wishes to relocate are not premises to which the person has temporarily relocated under regulation 21 (applications involving temporary relocation), and
 - (iii) would not, if granted, result in a significant change to the arrangements that are in place for the provision of pharmaceutical services (other than those provided by a person on a dispensing doctor list) in any part of the Local Health Board's area, or in a controlled locality in the area of a neighbouring Local Health Board where that controlled locality is within 1.6 kilometres of the new premises, or
- (b) the relocation is not to meet a need for pharmaceutical services, or pharmaceutical services of a specified type, identified in the relevant pharmaceutical needs assessment but—

- (i) for the patients who are accustomed to accessing pharmaceutical services at the existing premises, the location of the new premises is not significantly less accessible,
- (ii) the same pharmaceutical services will be provided at the new premises as are provided at the listed premises,
- (iii) the provision of pharmaceutical services will not be interrupted (except for such period as the Local Health Board may for good reason permit),
- (iv) the premises specified in the application from which the person wishes to relocate are not premises to which the person has temporarily relocated under regulation 21 (applications involving temporary relocation), and
- (v) would not, if granted, result in a significant change to the arrangements that are in place for the provision of pharmaceutical services (other than those provided by a person on a dispensing doctor list) in any part of the Local Health Board's area, or in a controlled locality in the area of a neighbouring Local Health Board where that controlled locality is within 1.6 kilometres of the new premises.

(3) A person who has had an application granted under this regulation may not, within 12 months of the date of the grant of the application (as defined in regulation 23(3)(a)), submit another application for determination pursuant to this regulation or regulation 20.

Commencement Information

II [Reg. 19](#) in force at 1.10.2021, see [reg. 1\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical Services) (Wales) Regulations 2020, Section 19.