EXPLANATORY MEMORANDUM TO

The Pharmaceutical Services (Amendment No. 2) Regulations (Northern Ireland) 2022

SR 2022 No. 116

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under the Health and Personal Social Services (Northern Ireland) Order 1972 ("the 1972 Order") and is subject to the negative resolution procedure.

2. Purpose

2.1. These Regulations further amend the Health and Personal Social Services Pharmaceutical Services Regulations (Northern Ireland) 1997 ("the Pharmaceutical Regulations"), which regulate the terms under which pharmaceutical services are provided under the 1972 Order

2.2. These Regulations make a number of technical and consequential amendments to the Pharmaceutical Regulations as a consequence of the closure of the Health and Social Care Board as legislated for in the Health and Social Care Act (Northern Ireland) 2022.

2.3. These Regulations amend and omit references within the Pharmaceutical Regulations to the Health and Social Care Board where necessary and make reference to a newly established Family Practitioner Services Independent Appeal Panel (FPSIAP) which, when the Health and Social Care Board closes, will be required to provide an avenue for appeals to an independent body against decisions of various decision making Committees of the Department and to deal with contractual disputes.

3. Background

3.1. The Health and Social Care Act (Northern Ireland) 2022 makes legislative provision for the closure of the Health and Social Care Board on 1 April 2022. These Regulations make a number of necessary consequential amendments to the Pharmaceutical Regulations to reflect the dissolution of the Health and Social Care Board and to ensure that the Pharmaceutical Services Regulations read coherently on 1st April 2022 when the Health and Social Care Act (Northern Ireland) 2022 Act is commenced.

4. Consultation

4.1. In accordance with the 1972 Order, the Department has consulted with organisations representative of the pharmaceutical profession on the making of these regulations.

5. Equality Impact

5.1. The Department of Health has conducted an Equality Impact Assessment screening exercise and has concluded that a full EQIA is not necessary.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment is not considered necessary as there will be no adverse impact on business, charities, social enterprise or voluntary bodies.

7. Financial Implications

7.1. There are no financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. The proposed legislation is considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.