

Government Response: The National Health Service (Pharmaceutical Services) (Wales) (Amendment) Regulations 2024

Technical Scrutiny point 1: The Welsh Government notes this point. The error was previously identified within the Welsh Government and has been corrected prior to the Regulations coming into force on the 1 January 2025 by SL(6)564 The National Health Service (Pharmaceutical Services) (Wales) (Amendment) Regulations 2024. These were made and laid on 10 December 2024, coming into force on 31 December 2024, and amend regulation 1(3) by inserting a new paragraph (3) ensuring that regulations 1 and 3(5) come into force on the 1 January 2025. Through this correction, regulation 1(4) also then applies correctly enabling all other regulations to come into force on 1 April 2025.

Technical Scrutiny points 2, 3, 4, 6, 7, 10, 11, 13 and 14: The Welsh Government notes these reporting points and will be making further amending Regulations in advance of the provisions' operative date of 1 April 2025 to correct these issues.

Technical Scrutiny point 5: The Welsh Government confirms that "the list" is a reference to "the combined list" and considers that would be sufficiently clear and obvious to the reader.

Technical Scrutiny point 8: The Welsh Government notes this point and will consider inserting a definition as part of any future amendment to the 2020 Regulations.

Technical Scrutiny point 9: The reference to direct supervision in the terms of service implies pharmacists must be in proximity to and able to see all these activities in a pharmacy. Once the other terms of service amendments made by these Regulations come into force on 1 April 2025 the need for inclusion of "directly" and "direct" will no longer be necessary and amending Regulations will be made in advance of 1 April 2025 to omit these references.

Technical Scrutiny point 12: The use of "should" is correct and is consistent use of terminology contained in the 2020 Regulations.

Technical Scrutiny point 15: This provision is lifted from similar provisions in the General Medical Services and General Dental Services Contract Regulations where neither term is defined. The terms "drugs" and "appliances" are self-explanatory and well understood by those who would be utilising the legislation. The terms have their general meaning and are broader than "ophthalmic listed medicines" or "ophthalmic listed appliances" which only apply in the context of signed orders (4A). Some optometrists can prescribe (as GPs and dentists do) and their prescribing of any drugs or appliances should not be excessive.