

## **Notice of Public Consultation Regarding Draft Statutory Rules**

### **Pharmaceutical Society of Ireland (Fees) (Amendment) Rules 2009**

In accordance with Section 11(6) of the Pharmacy Act 2007, the Pharmaceutical Society of Ireland (PSI), the pharmacy regulator, wishes to invite the public and all relevant stakeholders to submit their views on an amendment to the Pharmaceutical Society of Ireland (Fees) Rules 2008.

This amendment involves the insertion of a paragraph relating to the fee payable in respect of the continued registration of a retail pharmacy business (pharmacy) that is being relocated for a maximum period of one year, in circumstances involving the renovation and/or refurbishment of the retail pharmacy business, and setting this fee at €1000.

*(See below for the full text of the proposed amendment)*

### **Background to the draft amendment**

The Pharmacy Act 2007 (as amended), and the statutory rules and regulations made under the Act, provide for the establishment of a Register of retail pharmacy businesses (pharmacies) and a robust regulation and inspection system to ensure that pharmacies are operated in accordance with the legislation. Since 01 January 2009, anyone who wishes to open and operate a retail pharmacy business must apply to the PSI and have that application processed (which includes an inspection of the pharmacy) and be registered in accordance with statutory rules before it may operate. The application fee for first-time registration of a retail pharmacy business is €3500. If the owner of a registered retail pharmacy business wishes to permanently relocate to a different address, they must apply for first-time registration of the new pharmacy at the new address.

Some pharmacy owners however may wish to temporarily relocate to a different address to allow for the renovation or refurbishment of their existing pharmacy. Where this temporary relocation is in accordance with the specific circumstances outlined in the draft amendment, the Council of the PSI proposes to apply a reduced fee of €1000. Both the premises at the temporary location address and the refurbished premises are subject to inspection by the PSI to ensure that they comply with the relevant regulations and standards, in the interests of patient safety and public protection. Such inspections would occur in advance of the relocation to the temporary address and in advance of the return to the original premises.

### **Consultation process**

Written comments are welcome and may be sent by email to: [info@pharmaceuticalsociety.ie](mailto:info@pharmaceuticalsociety.ie), or by post to Public Consultation, Pharmaceutical Society of Ireland, 18 Shrewsbury Road, Ballsbridge, Dublin 4. This period of consultation will end at 12 noon on **Monday, 21 December 2009**

*Please Note: All submissions received will be subject to the Freedom of Information Acts 1997 and 2003.*

## Text of the draft amendment

### PHARMACEUTICAL: SOCIETY OF IRELAND (FEES) (AMENDMENT) RULES 2009

The Council of the Pharmaceutical Society of Ireland, in exercise of the functions conferred on the said Society by section 11 of the Pharmacy Act 2007 (*No. 20 of 2007*) and paragraph 20(1) of the Schedule to that Act, hereby makes the following rules: -

1. These Rules may be cited as the Pharmaceutical Society of Ireland (Fees) (Amendment) Rules 2009.
2. These Rules shall be construed as one with the Pharmaceutical Society of Ireland (Fees) Rules 2008 (*S.I. No. 496 of 2008*) and may be cited together with those Rules as the Pharmaceutical Society of Ireland (Fees) Rules 2008 and 2009.
3. The Schedule to the Pharmaceutical Society of Ireland (Fees) Rules 2008 is hereby amended by the insertion of the following paragraph after paragraph 7: -

(7A).	Fee payable under Rule 4(3)(b) of the Retail Pharmacy Businesses Rules, being the fee payable in respect of the continued registration of a retail pharmacy business that is being relocated for a maximum period of one year in circumstances involving the renovation and/or refurbishment of the said retail pharmacy business. The payment of any such fee shall be without prejudice to the payment of the fee that in the ordinary course would become due under paragraph 7 when the application for continued registration under Rule 4(1) of the Retail Pharmacy Businesses Rules must be made. In all such cases, the certificate of registration issued shall reflect the temporary status of the new pharmacy location and shall respect the date on which the said certificate for the said retail pharmacy business is due to expire.	€1000.00
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