



STATUTORY INSTRUMENTS.

S.I. No. 100 of 2017



PHARMACEUTICAL SOCIETY OF IRELAND (REGISTRATION)
(AMENDMENT) RULES 2017

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The Council of the Pharmaceutical Society of Ireland, in exercise of the powers conferred on the said Society by section 11 of the Pharmacy Act 2007 (No. 20 of 2007) (as adapted by the Health and Children (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 219 of 2011)), with the consent of the Minister for Health, hereby makes the following rules:

1. (1) These Rules may be cited as the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2017.

(2) The Principal Rules, Rule 15 of the Rules of 2015 and these Rules may be cited together as the Pharmaceutical Society of Ireland (Registration) Rules 2008 to 2017 and shall be construed together as one.

2. In these Rules—

“Principal Rules” means the Pharmaceutical Society of Ireland (Registration) Rules 2008 (S.I. No. 494 of 2008);

“Rules of 2015” means the Pharmaceutical Society of Ireland (Continuing Professional Development) Rules 2015 (S.I. No. 553 of 2015).

3. Rule 3(1) (as amended by Rule 15(a) of the Rules of 2015) of the Principal Rules is amended—

(a) by substituting for the definition of “Act” the following:

“‘Act’ means the Pharmacy Act 2007 (No. 20 of 2007), as amended by the European Communities (Recognition of Professional Qualifications relating to the Profession of Pharmacist) (No. 2) Regulations 2008 (S.I. No. 489 of 2008), the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (No. 24 of 2010), the Health (Pricing and Supply of Medical Goods) Act 2013 (No. 14 of 2013), the Health Identifiers Act 2014 (No. 15 of 2014), the European Union (Amendment of the Pharmacy Act 2007) Regulations 2015 (S.I. No. 86 of 2015) and the Professional Qualification Regulations;”,

(b) by substituting for the definition of “adaptation period” the following:

“‘adaptation period’ has the same meaning assigned to it in Regulation 23 of the Professional Qualifications Regulations;”,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 31st March, 2017.*

- (c) by substituting for the definition of “Professional Qualifications Directive” the following:

“‘Professional Qualifications Directive’ has the meaning assigned to ‘Directive’ by Regulation 3(1) of the Professional Qualifications Regulations;”,

- (d) by substituting for the definition of “Professional Qualifications Regulations” the following:

“‘Professional Qualifications Regulations’ means the European Union (Recognition of Professional Qualifications) Regulations 2017 (S.I. No. 8 of 2017);”, and

- (e) in the definition of “visiting pharmacist from another relevant state”, by substituting “as amended by Regulation 91(f)” for “as inserted by Regulation 9”.

4. Rule 7 of the Principal Rules is amended—

- (a) in paragraph (1)(e), by inserting “, and, where provided to the Registrar, the place of birth,” after “date of birth”, and
- (b) in paragraph (3)(a), by substituting “Regulation 13 of the Professional Qualifications Regulations” for “section 24A of the Act”.

5. The Principal Rules are amended by inserting after Part 6 the following Part:

“PART 7

QUALIFICATIONS AS PHARMACIST FROM RELEVANT STATE

20. Where an applicant satisfies the requirements for recognition of professional qualifications as a pharmacist under the Professional Qualifications Directive and the Professional Qualifications Regulations, the Council shall issue an appropriate certificate to the applicant to that effect.”

6. Schedule 1 to the Principal Rules is amended—

- (a) in paragraph 9—

(i) in subparagraph (a), by substituting “Examination,” for “Examination.”,

- (ii) by substituting for subparagraphs (b), (c) and (d) the following subparagraph:

“(b) in the case of an applicant who has had his or her professional qualifications recognised by the Society under the

Professional Qualifications Regulations, a certificate issued to the applicant under Rule 20 confirming such recognition, and”, and

(iii) by re-numbering subparagraph (e) as subparagraph (c),

(b) in paragraph 10—

(i) in subparagraph (f), by substituting “social care or services; and” for “social care or services;”,

(ii) in subparagraph (g), by substituting “bankrupt.” for “bankrupt;”, and

(iii) by deleting subparagraphs (h) and (i), and

(c) by inserting after paragraph 10 the following paragraph:

“11. In the case of an applicant whose professional qualification in pharmacy was awarded after training completed outside the State, the application shall be accompanied by—

(a) a certificate issued by an internationally recognised body or authority, recognised by the Council, attesting that the holder has attained a standard of competence in the English or Irish language sufficient to enable him or her to safely communicate with, and to treat, patients and to generally discharge his or her obligations as a pharmacist in the State, or

(b) evidence acceptable to the Council that he or she has trained as a pharmacist in a country that has English or Irish recognised as an official language of that country, or

(c) evidence acceptable to the Council that he or she has lived and practised in a whole-time capacity as a registered pharmacist for three out of the preceding five years in a country that has English or Irish recognised as an official language of that country.”

I, Simon Harris, Minister for Health, consent to the making of the foregoing Rules.



GIVEN under my Official Seal,
16 March 2017.

SIMON HARRIS,
Minister for Health.



GIVEN under the Official Seal of the Pharmaceutical Society of
Ireland,
16 March 2017.

ANN FRANKISH,
President.

NIALL BYRNE,
Registrar.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Rules amend the Pharmaceutical Society of Ireland (Registration) Rules 2008 (S.I. 494 of 2008) to take account of the amendments to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005.

These Rules may be cited as the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2017.

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