



STATUTORY INSTRUMENTS.

S.I. No. [•] of 2023

PHARMACEUTICAL SOCIETY OF IRELAND (REGISTRATION) (AMENDMENT)
RULES 2023

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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 2023.

(2) The Principal Rules, Rule 15 of the Pharmaceutical Society of Ireland (Continuing Professional Development) Rules 2015 (S.I. No. 553 of 2015), the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2020 (S.I. No. 316 of 2020), the Rules of 2020 and these Rules may be cited together as the Pharmaceutical Society of Ireland (Registration) Rules 2008 to 2023 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 2020” means the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2020 (S.I. No. 563 of 2020).

3. The Principal Rules are amended by substituting for Rules 18 (as amended by Rule 4 of the Rules of 2020) and 19 the following:

“Recognition of third country qualifications as qualifications appropriate for practice

18. The Council may recognise as a qualification appropriate for practice in the State, qualifications as a pharmacist obtained in a country that is not a relevant state, provided that such recognition respects the minimum training conditions laid down in Article 44 of the Professional Qualifications Directive.

Applications for recognition of third country qualifications as qualifications appropriate for practice

19. (1) This Regulation applies to applications for recognition of third country qualifications under section 16(2)(b) of the Act.

(2) An application shall be made in writing to the Registrar, on such form as may be provided for that purpose by the Council on the Society's website and shall be signed by the person making the application.

(3) An application shall contain or be accompanied by—

(a) the particulars and documents specified in Schedule 4, and

(b) such fee as may be payable in connection with the application.

(4) On receipt of an application, where the Council considers it necessary, it may require—

(a) verification of anything contained in the application,

(b) verification of the level of the applicant's qualification as a pharmacist on the National Qualifications Framework or such other framework as may for the time being be in use in the State, or

(c) the supply of further information in relation to the application.

(5) The Council shall consider an application in the following stages, as applicable:

(a) Stage 1 – internal review to assess whether the application is complete;

(b) Stage 2 – paper-based assessment of documentation to assess whether the qualification is equivalent or deficits exist;

(c) Stage 3 – adaptation period;

(d) Stage 4 – examination; and

(e) Stage 5 – grant of certificate of qualification appropriate for practice.

(6) The Council shall notify a person who makes an application in writing of its decision and the reasons therefor and shall inform the person of his or her right of appeal under paragraph (7).

(7) A person who makes an application may appeal any decision made by the Council in respect thereof to the High Court not later than 42 days from the date of the notice of that decision.

(8) Upon the hearing of an appeal under paragraph (7), the High Court may—

- (a) affirm the decision of the Council, or
- (b) set aside the decision of the Council and—
 - (i) remit the matter, with or without directions, to the Council for reconsideration and the making of a new decision, or
 - (ii) substitute the decision with a new decision,

and may make such further or consequential orders, including in relation to the costs of the appeal, as may be appropriate for the purpose of doing justice.”.

4. Notwithstanding Rule 3, applications for recognition of third country qualifications as qualifications appropriate for practice received by the Council before the coming into operation of these Rules shall be processed in accordance with Rules 18 and 19 of the Principal Rules as if not amended by Rule 3.

I, Stephen Donnelly, Minister for Health, consent to the making of the foregoing Rules.

L.S.

GIVEN under my Official Seal,
2023.

STEPHEN DONNELLY,



GIVEN under the Official Seal of the Pharmaceutical Society of Ireland,
2023.

President

Registrar

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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 in respect of the recognition of third country qualifications in pharmacy.

These Rules may be cited as the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2023.

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