Council meeting 14 June 2012

Public business

Fees Rules 2012

Purpose
To provide the Council with a final draft of the 2012 Fees Rules and a draft report of the fees rules consultation.

Recommendations

The Council is asked to:

i. approve the draft report of the 2012 fees rules consultation for publication (appendix 1); and

ii. make The General Pharmaceutical Council (Registration and Renewal Fees) Rules 2012 (appendix 2) and agree that the GPhC’s corporate seal be affixed to these rules.

1.0 Background

1.1 The Council approved draft fees rules for consultation in February. The consultation closed on 8 May 2012. We received 309 responses from a range of organisations and individuals. The draft report at appendix 1 summarises the responses and describes how they have been taken into account in producing a final draft of the rules.

1.2 The rules which the Council is now asked to make (appendix 2) would come into force on 15 October 2012. It is necessary to consult on and make the fees rules well in advance as our governing legislation requires us to send out renewal notices at least three months before registration is due to expire.
2.0 **Key considerations**

2.1 The Council has agreed principles to underpin its approach to fee-setting. These are set out in para 1.1 of the draft consultation report. In setting fees, the Council must ensure that the GPhC has sufficient funds to fulfil its statutory duty to protect, promote and maintain the health, safety and well-being of the public through effective regulation. It must also be mindful of its responsibility to set fees which are reasonable and proportionate. Factors to bear in mind include:

- the GPhC’s statutory functions and responsibilities
- the need to ensure the GPhC’s financial stability
- the impact of fees on those required to pay them
- current and future inflation rates
- the level of fees relative to those of other regulators.

2.2 It is important to review both the consultation report and the external and internal contexts for fee-setting, to identify any changes since the Council agreed fees for consultation. Changes relating to the external and internal contexts are summarised below.

2.3 **The external context**

The need to set fees well in advance makes financial planning challenging, particularly at a time of economic uncertainty. When the fees consultation was agreed, inflation was at 4.2% CPI and 4.8% RPI. The latest figures show CPI at 3.0% and RPI at 3.5%. While this is an improvement, the Bank of England’s forecast (May 2012)\(^1\) states that the prospects for inflation are uncertain, with the near-term outlook judged to be somewhat higher than expected three months ago and inflation likely to remain above the 2% target for the next year or so. In proposing reductions for some fees and keeping others unchanged, we assume we are able to further improve the efficiency of our operations.

2.4 Information on fees charged by other regulators is set out below. There is one recent change: the NMC is consulting on increasing its fee from £76 to £120.

<table>
<thead>
<tr>
<th>Regulator</th>
<th>Profession/s</th>
<th>Approx no. of registrants</th>
<th>Standard renewal fee (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>GCC</td>
<td>Chiropractors</td>
<td>2,658</td>
<td>800</td>
</tr>
<tr>
<td>GOsC</td>
<td>Osteopaths</td>
<td>4,442</td>
<td>750</td>
</tr>
<tr>
<td>GDC</td>
<td>Dentists</td>
<td>38,379</td>
<td>576</td>
</tr>
<tr>
<td></td>
<td>Dental care professionals</td>
<td>57,204</td>
<td>120</td>
</tr>
<tr>
<td>GMC</td>
<td>Medical practitioners</td>
<td>239,102</td>
<td>390</td>
</tr>
<tr>
<td>PSNI</td>
<td>Pharmacists</td>
<td>2,091</td>
<td>372</td>
</tr>
</tbody>
</table>

\(^1\) [http://www.bankofengland.co.uk/publications/Pages/inflationreport/infrep.aspx](http://www.bankofengland.co.uk/publications/Pages/inflationreport/infrep.aspx) accessed 16 May 2012
2.5 The government has not yet consulted upon the formula for the levy which the health professions regulators will pay to fund the Professional Standards Authority (currently CHRE). The levy might not take effect until April 2013, although CHRE have suggested it would be prudent to forecast on the basis of the levy being paid in respect of Q4 of 2012-13.

2.6 The internal context
2011-12 saw a large increase in the number of registered pharmacy technicians. However, statutory regulation of pharmacy technicians is still in its early stages and it is difficult to predict future numbers on the register at this time. This suggests caution over any reduction in fees larger than that consulted upon.

2.7 Work is progressing on our approach to regulating registered pharmacies but decisions have not yet been taken and we are not in a position to estimate future costs of regulating this aspect of pharmacy. The Council will be considering a report of the consultation on registered pharmacies standards at this meeting.

2.8 The year-end financial results do not differ significantly from expectations, with a relatively modest change in the anticipated out-turn.

2.9 Consultation responses
The consultation responses have not identified factors which the Council has not considered previously. There is an encouraging level of support for the fees proposals, with the exception of the proposal to maintain the renewal fee for pharmacy premises unchanged. Here views are more mixed, with 47% supporting the proposal, 16% opposing it and 37% unsure. Amongst those who were unsure there was a range of views, with some supporting a higher fee, some thinking it should be lower and some calling for the fee to reflect the cost of regulating registered pharmacies. However, as noted above, it would not make sense to attempt now to re-base premises fees by reference to historic information about costs. The prudent course is therefore to leave the renewal fee for pharmacy premises unchanged at £221, pending further development and costing of this part of our work.
2.10 There was an encouraging level of support for the proposal to adjust application and registration fees for applicants who had previously been removed from the RPSGB so as to better reflect the work undertaken to consider such applications. Similarly, there was overall support for the proposal to adjust application and restoration fees to reflect the work involved in processing certain types of applications.

2.11 Overall, the results of the consultation, considered in the context of the various relevant factors, indicate that it would be appropriate for the Council to go ahead with its proposed fees rules for 2012.

3.0 **Equality and diversity implications**

3.1 An equality impact assessment of the draft rules was published on the GPhC’s website during the consultation. Points raised in responses relating to equality and diversity are covered in the draft report at appendix 1.

4.0 **Communications implications**

4.1 The consultation report and the final version of the 2012 fees rules will be published on the GPhC’s website and highlighted to the pharmacy media. The fees will be set out clearly in relevant communications with registrants, prospective registrants and pharmacy owners, including application and renewal forms.

5.0 **Resource implications**

5.1 As an independent regulator, the GPhC must set fees to cover the costs of its activities. It should also be able to cover fluctuations in expenditure such as could arise from major court cases, and build a reasonable level of reserves.

6.0 **Risk implications**

6.1 Failure to set appropriate fees could create financial and reputational risk for the GPhC. This could, in turn, affect the GPhC’s capacity to protect the public and to carry out its functions in an effective and timely way.

**Recommendations**

The Council is asked to:
i. approve the draft report of the 2012 fees rules consultation for publication (appendix 1); and

ii. make The General Pharmaceutical Council (Registration and Renewal Fees) Rules 2012 (appendix 2) and agree that the GPhC’s corporate seal be affixed to these rules.

Bernard Kelly, Director, Resources & Corporate Development, bernard.kelly@pharmacyregulation.org, tel 020 3365 3510

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25 May 2012
Appendix 1

Consultation report: Draft Fees Rules 2012

June 2012
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Summary

1. The General Pharmaceutical Council (GPhC) is the independent regulator for pharmacists, pharmacy technicians and pharmacy premises in Great Britain. As an independent regulator, we must set fees to cover the costs of our work to uphold standards and public trust in pharmacy.

2. Our fees relating to registration and the renewal of registration are set out in fees rules made under the Pharmacy Order 2010\(^1\). Between February and May 2012, we consulted on draft fees rules to take effect from 15 October 2012. This report summarises the responses we received, provides a commentary on how we have taken these responses and other factors into consideration, and sets out the decisions we have made.

3. We are conscious of our responsibility to set fees which are reasonable and proportionate. We also need to ensure the financial stability and resilience of the organisation. Our fees policy is set out on pg 10. As an organisation, we are seeking to work as efficiently and effectively as we can while ensuring we can fulfil our remit to protect and promote the health, safety and well-being of patients and the public. In this way, we aim to minimise the burden which our fees represent.

4. We have delivered efficiency gains over the past year and have a higher number of registrants than forecast. These are some of the factors which have created the conditions for a reduction in renewal fees for pharmacy professionals.

5. We nevertheless need to take a prudent approach to setting fees. We are still a young organisation, without significant assets, and there are significant cost pressures that we need to mitigate. The latest inflation figures show CPI at 3.0% and RPI at 3.5%, while the Bank of England’s forecast\(^2\) states that the prospects for inflation are uncertain, with the near-term outlook judged to be somewhat higher than expected three months ago and inflation likely to remain above the 2% target for the next year or so. In proposing reductions for some fees and keeping others unchanged, we have assumed we are able to further improve the efficiency of our operations.

6. We proposed reducing the renewal fees for both pharmacists and pharmacy technicians by 10% - a reduction of £22 for pharmacists and £12 for pharmacy technicians. During the consultation, registrants welcomed the proposed reduction, although some called for further reductions and others highlighted the need for investment in improved ways or working. We have decided to go ahead with a renewal fee of £240 for pharmacists and a renewal fee of £108 for pharmacy technicians from 15 October 2012.

7. We proposed that renewal fees for registered pharmacies should remain unchanged. This is because we are still developing our approach to regulating registered pharmacies and are not yet in a position to estimate the future costs of this work. Responses to this proposal were more

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\(^1\) S.I. 2010/231
\(^2\) http://www.bankofengland.co.uk/publications/Pages/inflationreport/inrep.aspx accessed 16 May 2012
mixed, with a number of respondents unsure of their views. However, it would not make sense to attempt now to re-base premises fees by reference to historic information about costs. We have therefore decided to leave the renewal fee for premises unchanged. We will continue to review premises fees as we develop and implement our approach to regulating registered pharmacies.

8. We proposed adjusting the fees for application for registration and for registration itself for applicants who were previously removed from the Royal Pharmaceutical Society’s register following a disciplinary committee decision. We proposed a higher application fee in such cases, to reflect the detailed consideration required. The total fee for joining the register (ie. application fee plus registration fee) would be unchanged, as the registration fee would be reduced accordingly. There was an encouraging level of support for this proposal. We have decided to go ahead with these changes.

9. Similarly, we proposed adjusting the fees for application for restoration and for restoration itself. The application fees would vary according to the original reason for removal from the register, reflecting the additional work involved in processing certain types of application. We proposed a higher application fee in such cases, to reflect the detailed consideration they require. The total payable for restoration (ie. application fee plus restoration fee) would be unchanged, as the restoration fee would be reduced accordingly. There was overall support for this proposal. We have decided to go ahead with these changes.

10. The fees rules made by our Council have been published on our website [www.pharmacyregulation.org](http://www.pharmacyregulation.org). The GPhC (Registration and Renewal Fees) Rules 2012 will apply from 15 October 2012.
Introduction

The General Pharmaceutical Council (GPhC) is the regulator for pharmacists, pharmacy technicians and pharmacy premises in Great Britain.

It is our job to protect, promote and maintain the health, safety and wellbeing of members of the public, and in particular those members of the public who use or need the services of pharmacy professionals or the services provided at a registered pharmacy.

Our principal functions include:

- approving qualifications for pharmacists and pharmacy technicians and accrediting education and training providers;
- maintaining a register of pharmacists, pharmacy technicians and pharmacy premises;
- setting standards for conduct, ethics, proficiency, education and training, and continuing professional development (CPD);
- establishing and promoting standards for the safe and effective practice of pharmacy at registered pharmacies;
- establishing fitness to practise requirements, monitoring pharmacy professionals' fitness to practise and dealing fairly and proportionately with complaints and concerns.

We aim to ensure that regulation is fair and proportionate – that is, in line with the level of risk posed to public health, safety and wellbeing – and not over-burdensome. We want to be flexible enough to respond to the changing demands made of the profession and to allow for innovation, at the same time as maintaining high quality practice.

About this report

This report provides a summary of the responses to the consultation on the draft 2012 fees rules held between 15 February and 8 May 2012.

The report provides background to the consultation, a breakdown of the responses to the consultation and a commentary on the responses to each of our proposals.

Annex A provides a list of organisations that responded to the consultation other than those who asked that their names should not be published.

We recommend that the statistical information on the responses is read in conjunction with the commentary.
Responses to the consultation

Overall, we received 309 responses to the consultation. The total number for each question varies as, in tallying and calculating percentages, we have excluded those persons who entered their details but did not respond to that particular question. Percentages may not always add up to 100% due to rounding. In some instances, the total number of responses is very small and as such percentages are best read in conjunction with the total numbers.

<table>
<thead>
<tr>
<th>Total respondents</th>
<th>309</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individuals (of total respondents)</td>
<td>298</td>
</tr>
<tr>
<td>Of which</td>
<td></td>
</tr>
<tr>
<td>Pharmacists</td>
<td>183</td>
</tr>
<tr>
<td>Pharmacy technicians</td>
<td>98</td>
</tr>
<tr>
<td>Pharmacy professionals (not specified)</td>
<td>14</td>
</tr>
<tr>
<td>Members of the public</td>
<td>1</td>
</tr>
<tr>
<td>Other/ not known</td>
<td>2</td>
</tr>
<tr>
<td>Organisations (of total respondents)</td>
<td>11</td>
</tr>
<tr>
<td>Of which</td>
<td></td>
</tr>
<tr>
<td>Pharmacy organisations</td>
<td>9</td>
</tr>
<tr>
<td>Non-pharmacy organisations</td>
<td>2</td>
</tr>
<tr>
<td>Individual respondents by country</td>
<td></td>
</tr>
<tr>
<td>England</td>
<td>248</td>
</tr>
<tr>
<td>Wales</td>
<td>7</td>
</tr>
<tr>
<td>Scotland</td>
<td>38</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>298</td>
</tr>
<tr>
<td>Pharmacy professionals – areas of practice</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>Community pharmacy</td>
<td>78</td>
</tr>
<tr>
<td>Hospital pharmacy</td>
<td>150</td>
</tr>
<tr>
<td>Pharmacy education and training</td>
<td>6</td>
</tr>
<tr>
<td>Primary care organisation</td>
<td>50</td>
</tr>
<tr>
<td>Pharmaceutical industry</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>287</td>
</tr>
</tbody>
</table>
1. Our Fees Policy

1.1 The principles which underpin our approach to fee-setting are set out below.

- The fees we set must cover the costs of delivering our regulatory functions and ensure the financial resilience of the organisation so that pharmacy standards can continue to be maintained

- We will allocate revenues generated from fees in a way which enables us to meet our statutory purpose and regulatory functions, avoiding ‘regulatory creep’, where standards, guidance and regulation can become complex, unclear, confusing or contradictory

- We will set fees for different registrant groups in a way which considers a range of factors including: costs of regulation; relative risk factors where known and comparable fees for other regulated professional groups. We are committed to considering these factors, but recognise that, given the complexity of these issues, there is no ‘perfect’ formula for decision making

- We will balance the above factors with the need to minimise complexity in our fees structure, which can increase costs overall

- We will ensure we consider external factors, including economic factors, when setting fees, alongside the need to carry out our statutory functions effectively

- We will periodically review these principles and ensure that we set out clearly any significant change in factors which either allows us, or requires us to reduce or increase fees in future

- We will continually strive to identify efficiencies in our regulatory operations and set these out when consulting on fees

- We will seek, through effective future planning and consideration of external economic factors, to avoid large fluctuations in fees, up or down, in future years.

1.2 We have sought to apply these principles in setting our fees.

1.3 The GPhC register includes three parts containing register entries for pharmacists (Part 1), pharmacy technicians (Part 2) and pharmacy premises (Part 3).
1.4 In general, fees will be charged for the following functions:

a) scrutiny: this is the fee for determining the qualifications and experience of persons applying to register

b) application: this is the fee for processing an application. It will cover a range of costs depending on whether the application is for a pharmacy professional or a registered pharmacy

c) annotating the register: this is the fee to annotate a register entry for the first time to denote a specialisation, for example a qualification as an independent prescriber

d) restoring an entry to the register: this is the fee to re-enter a name, an annotation or a registered pharmacy in the register following its removal

e) making an initial entry to the register: this is the fee to enter a name or a registered pharmacy in the register for the first time; it covers the initial period of registration and contributes to the costs of regulation

f) renewing an entry to the register: this is the fee to maintain a name or a registered pharmacy on the register for a further 12 months and contributes to the costs of regulation.

2. Renewal fees for pharmacists and pharmacy technicians

What we proposed

2.1 We proposed an annual renewal fee for pharmacists of £240. This would represent a 10% reduction against the current fee of £267. We proposed an annual renewal fee for pharmacy technicians of £108. This would represent a 10% reduction against the current fee of £120.

What we heard

Consultation question

<table>
<thead>
<tr>
<th>Q1 Do you agree with the renewal fee of £240 we propose for pharmacists?</th>
<th>75%</th>
<th>(228)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>75%</td>
<td>(228)</td>
</tr>
<tr>
<td>No</td>
<td>12%</td>
<td>(37)</td>
</tr>
<tr>
<td>Unsure</td>
<td>13%</td>
<td>(41)</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
<td>(306)</td>
</tr>
<tr>
<td></td>
<td>Pharmacist</td>
<td>Pharmacy technician</td>
</tr>
<tr>
<td>----------------------</td>
<td>------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Yes</td>
<td>79% (145)</td>
<td>66% (65)</td>
</tr>
<tr>
<td>No</td>
<td>14% (26)</td>
<td>8% (8)</td>
</tr>
<tr>
<td>Unsure</td>
<td>7% (12)</td>
<td>26% (25)</td>
</tr>
<tr>
<td>Total number of respondents</td>
<td>100% (183)</td>
<td>100% (98)</td>
</tr>
</tbody>
</table>

2.2 Pharmacists largely agreed with and welcomed the reduction in the fee, so long as services remained the same, but some thought it should be reduced further. Respondents said that other areas such as the NHS have had to show increased efficiencies and it was right that the GPhC was doing the same.

2.3 Pharmacists and organisations highlighted the need for the GPhC to demonstrate evidence of the efficiency savings it has already made.

2.4 Different fees for those working part-time was a common theme amongst pharmacists’ comments, to include a reduced fee for those on maternity leave or those over 60.

2.5 Pharmacists made the point that the combined renewal fee plus RPSGB membership fee was very high.

2.6 The GPhC was asked to amend the requirement to pay fees two months in advance on the basis that it was not in line with other regulators and ‘exploited’ pharmacists.

2.7 Some pharmacy technicians wondered why pharmacists had to pay more than pharmacy technicians.

2.8 Pharmacy technicians’ comments were also that costs should be reduced so that registrants’ fees could be lower, that there should be a different fee for part-time workers, or that the cost of renewal for registrants should be reduced and be offset by an increase in premises fees.

2.9 A few comments highlighted the need for investment in improved ways of working – both fitness to practise procedures and checks on community pharmacy services were mentioned in this context.

2.10 Organisational responses were that the reduction of 10% in fees was welcomed. In the current climate of austerity and reducing remuneration settlements, any reduction in the cost of regulation was seen as welcome and sensible. There was concern that any increase above 10% in 2013 may be unwelcome as it would indicate the GPhC may have failed to anticipate costs in a sound manner. One organisation felt the fee was too high.
2.11 One organisation requested that the GPhC confirm that individual pharmacists were not subsidising the costs associated with the registration and inspection of registered pharmacies.

Our response

2.12 We have now been operating for over a year and have made some important efficiency gains. We also have a higher number of registrants than forecast. These are some of the factors that have created the conditions for a reduction in renewal fees for pharmacy professionals.

2.13 We are also in a better position to forecast our expenditure based on experience of our own operating costs. However, we are still a young organisation, without significant assets. We have made savings by transferring work from external legal firms to in-house teams, renegotiating rates for legal services, and streamlining our fitness to practise functions, allowing us to reduce the average length of hearings. Further efficiency gains have resulted from using an online resource rather than the ‘medicines, ethics and practice’ study text, and from scheduling council meetings so as to incur less by way of travel and accommodation costs. Use of the government procurement website has significantly reduced the cost of photocopiers, stationery and professional services. Other savings have resulted from delays in recruitment and will not be recurring gains.

2.14 We are pleased to have made savings and recognise the need to continue to bear down on operating costs, particularly through sound investment in IT. The efficiency gains we have achieved over the past year (13.5% in the year 2011-12), together with higher numbers on the register than anticipated, have created the potential for some reduction in registrants’ renewal fees. We nevertheless need to take a prudent approach to setting fees which will apply from October 2012.

2.15 We have set our reserves target, taking account of the risks facing the organisation, the need for investment in better ways of working and future development, and providing a buffer of operating expenditure. We have estimated that we will need revenues in the order of £20.6m. This has set the parameters within which we have looked at how to allocate the fee burden, taking into account a range of factors including such evidence as we have of the costs which different groups account for in our expenditure and comparisons with other health professions.

2.16 We need to continue to deal with fitness to practise cases efficiently and proportionately – both those we inherited from the Royal Pharmaceutical Society of Great Britain (RPSGB) and those we have received since then. In this sense, matters relating to the workload and systems which were passed to us from the RPSGB have an impact on our costs and efficiency and therefore on our fees.

2.17 However, while we give careful consideration to the impact of our fees on those who pay them, it would not be appropriate for us to set our fees in relation to the fees charged by the RPSGB or other pharmacy bodies. As an independent regulator, we must set fees to cover the costs of our activities.
2.18 As stated in our fees policy, we are seeking, through effective future planning and consideration of external economic factors, to avoid large fluctuations in fees, up or down. We want to mitigate the risk that a short-term response to a relatively modest change in the expected financial out-turn for one year could lead to our having to raise fees in 2013, if we have a more difficult year than expected.

2.19 There are significant cost pressures that we are attempting to mitigate. The latest inflation figures show CPI at 3.0% and RPI at 3.5%. While this is an improvement since February, the Bank of England’s forecast (May 2012) states that the prospects for inflation are uncertain, with the near-term outlook judged to be somewhat higher than expected three months ago and inflation likely to remain above the 2% target for the next year or so. In proposing reductions for some fees and keeping others unchanged, we assume we are able to further improve the efficiency of our operations, and our planning is on that basis.

2.20 The government has not yet consulted upon the formula for the levy which the health professions regulators will be required to pay to fund the Professional Standards Authority (currently CHRE). The levy might not take effect until April 2013, although CHRE have suggested it would be prudent to forecast on the basis of the levy being paid in respect of Q4 of 2012-13.

2.21 Our approach is that, taking account of anticipated efficiency improvements, we work out how much income we need to collect through fees in order to deliver on our regulatory responsibilities and make essential investments. Then, having identified the target income we need, we allocate the fee burden between the various registrant categories, taking into account a range of factors including such evidence as we have of the differential costs which groups account for in our expenditure and comparisons with other health professions. While we are conscious of the need to set fees at a reasonable level, they are not linked directly to income for registrants or pharmacy owners.

2.22 The GPhC has considered previously whether to offer low income fees and decided not to do so. Low income fees are not necessarily a robust means of helping those most in need and entail significant administration costs, which increase fees for other registrants. Our job is to protect, promote and maintain the health and safety of patients and the public who use pharmacy services in Great Britain. This applies to all registrants, whether they work full or part time and whatever their total income.

2.23 The costs in relation to CPD review and registration for both pharmacists and pharmacy technicians are broadly similar. However our experience to date indicates that there are some areas where costs have related largely to pharmacists, for example fitness to practise procedures, which represent a significant proportion of our costs. We will continue to review the allocation of the fee burden across different categories of registrants and pharmacy owners (see paras 3.1-3.11).

1 http://www.bankofengland.co.uk/publications/Pages/inflationreport/infrep.aspx accessed 16 May 2012
2.24 The requirement for registrants to apply for renewal, and pay fees, two months before their registration expires stems from our governing legislation, the Pharmacy Order. We will look into the potential for reducing this period if an opportunity arises to amend the legislation.

2.25 We have reviewed all the above factors in considering our decision on the renewal fee for pharmacists. After careful deliberation, we have decided that the renewal fee should be reduced by 10%. The renewal fee for pharmacists will therefore be reduced to £240 from 15 Oct 2012.

What we heard

Consultation question

| Q2 Do you agree with the renewal fee of £108 we propose for pharmacy technicians? |
|-----------------|------|-----------------|
| Yes             | 75%  | (226)           |
| No              | 12%  | (35)            |
| Unsure          | 14%  | (42)            |
| Total           | 100% | (303)           |

<table>
<thead>
<tr>
<th></th>
<th>Pharmacist</th>
<th>Pharmacy technician</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>72% (130)</td>
<td>82% (80)</td>
<td>50% (5)</td>
</tr>
<tr>
<td>No</td>
<td>10% (18)</td>
<td>14% (14)</td>
<td>10% (1)</td>
</tr>
<tr>
<td>Unsure</td>
<td>18% (32)</td>
<td>4% (4)</td>
<td>40% (4)</td>
</tr>
<tr>
<td>Total number of respondents</td>
<td>100% (180)</td>
<td>100% (98)</td>
<td>100% (10)</td>
</tr>
</tbody>
</table>

2.26 Most pharmacy technicians agreed with and welcomed the proposed fee, as did most pharmacists. Some pharmacists thought the fee should be the same for pharmacists and pharmacy technicians.

2.27 Some pharmacists thought the fee was too high for pharmacy technicians to pay and disproportionately high compared with pharmacy technicians’ incomes. It was noted that fees needed to remain proportionate to the risk involved and the costs of regulating this profession. However, one organisation commented that, in future years, the GPhC should not reduce pharmacy technicians’ fees by such a large amount until that risk can be quantified.
2.28 Comments from some pharmacy technicians were that the fee should be reduced further, based on earnings or to introduce a tiered system.

2.29 A number of pharmacy technicians thought the fee should be less than £100, saying it seemed a lot compared with what they got from the GPhC, that the higher than anticipated number of pharmacy technicians had contributed to the surplus and that, if the surplus was still there next year, the fees should be reduced again.

2.30 Respondents queried where the fee was spent each year and how pharmacy technician registration had improved patient care.

2.31 Some organisations and individuals felt that the fees for pharmacy technicians should be reduced further in line with fees charged by other regulators for professions such as nursing and those professions regulated by the HPC.

2.32 Organisational responses regarding pharmacy technicians’ and pharmacists’ fees were the same, in that the reduction was welcome but that any increase above 10% in 2013 may be unwelcome as it would indicate the GPhC may have failed to anticipate costs in a sound manner. One organisation felt this fee was too high. Another organisation said that, now that pharmacy technicians had had one full cycle of registration and renewal, it wanted to reiterate its concerns raised last year that the GPhC should look at setting standards and criteria for activities for which a pharmacy technician may take responsibility and should annotate the register with the specialisation of accredited checking technician: this would provide a framework for risk-based regulation of pharmacy technicians and a fee structure could then be set accordingly.

Our response

2.33 There were some common themes in the comments on proposed renewal fees for both pharmacy technicians and pharmacists, such as whether fees should be the same for both groups and whether fees should be linked to income. We have responded to these points in the sections above.

2.34 We do not believe it would be appropriate to reduce the renewal fee for pharmacy technicians below the proposed level of £108. Nevertheless, the table in our consultation document of fees charged by other health professions regulators showed our proposals to be towards the lower end of a range running from £800 (for chiropractors) to £76 (for nurses, midwives and Health Professions Council registrants). There are a number of factors affecting the level of fees charged. These include economies of scale for the larger professions and other factors. The Nursing and Midwifery Council is currently consulting on increasing the renewal fee for nurses and midwives to £120 which, if agreed, would make this fee higher than the fee for pharmacy technicians.
2.35 Statutory regulation has established pharmacy technicians as a recognised health profession and has provided assurance to patients and the public that pharmacy technicians meet recognised standards, designed to ensure their fitness to practise. Regulation of the profession is still in its early stages, with many pharmacy technicians having registered in summer 2011. As such, our understanding of the risks and costs associated with regulating pharmacy technicians is likely to evolve over the coming years. We will continue to track future trends. We also plan to undertake a ‘stock take’ exercise to scope and triage issues relating to pharmacy technicians and support staff to understand better the impact of compulsory technician registration.

2.36 Having regard to the relative impact of pharmacy technicians on our expenditure and the fees paid by comparable regulated professions, we have decided to go ahead with a 10% reduction in the renewal fee for pharmacy technicians to £108 from 15 Oct 2012.

2.37 We will keep the fees we charge under review as we gain further experience of pharmacy technician regulation and the costs of regulation more generally.

3. Renewal fees for registered pharmacies

What we proposed

3.1 We proposed leaving the renewal fee for pharmacy premises unchanged for the time being at £221, pending further development and costing of a new model for regulating registered pharmacies.

What we heard

Consultation question

| Q3 Do you agree that the renewal fee for pharmacy premises should remain unchanged at £221? |
|---------------------------------|-----------------|-----------------|-----------------|
| Yes                            | 47%             | (143)           |
| No                             | 16%             | (50)            |
| Unsure                         | 37%             | (111)           |
| Total                          | 100%            | (304)           |

<table>
<thead>
<tr>
<th></th>
<th>Pharmacist</th>
<th>Pharmacy technician</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>50% (89)</td>
<td>44% (43)</td>
<td>9% (1)</td>
</tr>
<tr>
<td>No</td>
<td>20% (35)</td>
<td>6% (6)</td>
<td>45% (5)</td>
</tr>
<tr>
<td>Unsure</td>
<td>31% (55)</td>
<td>50% (49)</td>
<td>45% (5)</td>
</tr>
<tr>
<td>Total number of respondents</td>
<td>100% (179)</td>
<td>100% (98)</td>
<td>100% (11)</td>
</tr>
</tbody>
</table>
3.2 Views on retaining the £221 fee for pharmacy premises were mixed, with a number of respondents being unsure of their views.

3.3 Some pharmacists thought the premises fee should be higher to allow lower fees for pharmacists and that the regulation of registered pharmacies should be ‘cost-neutral’ to individual registrants.

3.4 Comments were made that, as the registered pharmacies standards consultation was taking place, there could be higher costs in regulating pharmacies so the fee should be increased. Other comments were that the fee should remain the same until the results from that consultation had been worked out or that the fee should be reviewed once the new standards were in place.

3.5 Pharmacy technicians queried why the fees for premises were lower than those for individual pharmacists, saying premises fees seemed too low and businesses had not been affected by NHS pay cuts or freezes. The comparatively low premises fee was challenged in the context of what a pharmacist or pharmacy technician earns compared with the profit a registered pharmacy makes.

3.6 Some organisations suggested that the fees for pharmacy premises should be reduced in light of the current economic climate.

3.7 Organisations noted the rationale for no change to the current premises fee and that the GPhC was not yet in a position to judge the financial impact of any changes to the regulatory model.

3.8 One organisation felt it likely that most of the GPhC’s regulatory activity would relate to individuals and that pharmacy owners should not be required to fund this through disproportionate premises renewal fees.

3.9 One organisation wanted to reiterate its ongoing concern that it was keen to ensure the costs of regulation were proportionate to delivering the stated regulatory outcomes and were fair to fee-paying registrants. The organisation was concerned that at present this didn’t seem to be the case with the costs of regulation being allocated disproportionally between the various categories. They would recommend that the GPhC uses the exercise of developing registered pharmacies standards to show transparency in the proportionate allocation of regulatory burden.
Our response

3.10 We have recently consulted on draft standards for registered pharmacies. This forms part of the development of a new model for regulating registered pharmacies which will include setting standards and developing our approach to enforcement as well as reviewing the inspection regime. The outcomes of this work will have implications for the cost of regulating this aspect of pharmacy but we are not yet in a position to estimate those costs and, in that context, it would not make sense to attempt now to re-base premises fees by reference to historic information about costs.

3.11 We have therefore decided to leave the renewal fee for premises unchanged. We will continue to review premises fees as we develop and implement our approach to regulating registered pharmacies.

4. Applicants who have previously been removed from the register

What we proposed

4.1 A pharmacy professional who was previously registered with the RPSGB and was removed from the register following a disciplinary committee decision may apply to join the GPhC’s register. Their application will require detailed consideration. As a result, these applications incur increased costs, whatever the outcome of the application.

4.2 We proposed a higher application fee in such cases: £413 for a pharmacist or £283 for a pharmacy technician. The total fee for joining the register (ie. application fee plus registration fee) would be unchanged, as the registration fee would be reduced accordingly. The total would remain equivalent to that payable by a registrant who is removed from the GPhC’s register following a Fitness to Practise Committee decision and who later applies to rejoin the register.

What we heard

Consultation question

<table>
<thead>
<tr>
<th>Q4. Do you agree with our proposal to charge an increased application fee if an applicant for registration was previously removed from the RPSGB’s register following a decision by a disciplinary committee?</th>
<th>All responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>69%</td>
</tr>
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<td>No</td>
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<td>16%</td>
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<td>Yes</td>
<td>64% (115)</td>
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<td>22% (40)</td>
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<tr>
<td>Unsure</td>
<td>14% (25)</td>
</tr>
<tr>
<td>Total number of responses</td>
<td>(180)</td>
</tr>
</tbody>
</table>

4.3 There was overall support for this proposal.

4.4 Some pharmacists thought this amounted to double sanctions and discrimination, suggesting that it would make the GPhC seem that it was looking to commercialise wrongdoing by its registrants, creating a bad relationship between regulator and regulated.

4.5 Other pharmacists commented that this was acceptable if there was a clear rationale and that it was appropriate to the case in question and sent a clear message about how serious unprofessional conduct is. Some pharmacists did not agree with the increased application fee as a form of censure but agreed if the administrative costs for processing these application fees were significantly higher. It was queried whether if the total cost of the application and restoration fees represented the true cost of restoring a person to the register.

4.6 The point was made that the GPhC has separated from the RPSGB so RPSGB activity should have no bearing on what we do.

4.7 Comments from pharmacy technicians were that the increased administration involved in restoration for these individuals meant the increased fee was justifiable and that it was a deterrent to wrongdoing.

4.8 Organisations recognised that the GPhC may incur extra costs in assessing an applicant who has previously been removed from the register. They were comfortable that, by charging a higher fee, the regulator was not passing these extra costs on to all registrants.

Our response

4.9 The fees relating to registration or restoration are not intended as a penalty. The costs of dealing with applications from persons previously removed from the register will vary but all will require detailed consideration and therefore increased costs. Where an application is referred to the Fitness to Practise Committee for advice, those costs will easily exceed the combined total of the application and restoration fees. It would not be appropriate to pass on those costs on an individual basis but we also want to avoid passing on the additional costs to all registrants through higher fees.
4.10 Our fees in relation to these applications do not relate to the costs of RPSGB activity but to GPhC activity which we need to undertake to determine whether it is appropriate for a person to join the GPhC register. The total fee for joining the register (ie. application fee plus registration fee) would be unchanged and would remain equivalent to the total payable by a registrant who is removed from the GPhC’s register following a Fitness to Practise Committee decision and who later applies to rejoin the register.

4.11 We have decided to go ahead with the proposed changes to the application and registration fees for applicants who have previously been removed from the register.

5. Changes to application and restoration fees

What we proposed

5.1 We currently have a flat fee for applications for restoration to the register. By contrast, the restoration fee itself varies according to the original reason for removal from the register (eg. removal by the Fitness to Practise Committee, removal for failure to renew, voluntary removal etc) and whether it applies to a pharmacist, pharmacy technician or premises.

5.2 We proposed having different application fees rather than different restoration fees, as the additional work involved in processing certain types of application has to be done whatever the outcome. The total payable for restoration to the register (ie. application fee plus restoration fee) would be unchanged, as the restoration fee would be adjusted accordingly.

What we heard

Consultation question

| Q5 Do you agree with our intention to charge differing fees for application for restoration to the register depending on the reason for the initial removal of the entry? |
|---|---|---|
| Yes | 72% | (215) |
| No | 12% | (36) |
| Unsure | 16% | (48) |
| Total | 100% | (299) |

<table>
<thead>
<tr>
<th>Pharmacist</th>
<th>Pharmacy technician</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>69% (123)</td>
<td>76% (74)</td>
</tr>
</tbody>
</table>
5.3 There was overall support for this proposal.

5.4 Some pharmacists commented that it would depend on the reason for removal and that there should be different fees based on whether someone was removed for 2 years or 6 months, so that the penalty would fit the offence. Transparency on how the fee structure had been drawn up and itemisation of costs was thought to be important if varying fees were introduced. Some pharmacists agreed with the change if the fee related to the work involved in processing the application and that there should be flexibility to reflect differing circumstances e.g. if someone needed to be restored to the register for simply forgetting to update their address.

5.5 It was thought that if the GPhC deems someone fit to join the register then extra costs should not be levied upon that person.

5.6 Pharmacy technicians thought this made sense as long as those who removed themselves voluntarily were not punished or that there was a difference between the fee for someone removed because of misconduct or someone on maternity leave who simply forgot to renew.

5.7 Comments from organisations were that they were content with the approach adopted by the GPhC around modulation of restoration fees and recognised that the regulator will incur varying costs in consideration of the applications. If this change reflected the differing administration burden associated with the reason for the removal and added more transparency to the fees structure then this was thought to be reasonable.

Our response

5.8 As mentioned previously, the fees relating to restoration are not intended as a penalty. The costs of dealing with applications will vary but the proposed fee structure is intended to be broadly reflective of the relative administration and costs involved in the various circumstances.

5.9 Those who leave the register voluntarily and then apply for restoration would not be penalised: their total application and restoration fees would equal the relevant renewal fee. An exception would be if someone applied for restoration within a month of voluntary removal, where applicants would pay the same as for restoration after failure to renew. This is to remove any financial incentive for registrants to remove themselves from the register and then apply for restoration immediately afterwards so as to avoid paying the higher restoration fee which would apply following removal for non-payment or for not submitting a renewal form. This route creates additional costs which we are keen to apportion fairly.
5.10 Registrants would not be removed from the register for periods such as six months or two years. Under the Pharmacy Order (art 57), anyone who is removed from the register by the Fitness to Practise Committee may not apply for restoration until five years after their removal. This reflects the fact that removal from the register for fitness to practise reasons is always a serious step. A person’s registration might be suspended for a shorter period but the restoration fees do not apply in these circumstances.

5.11 We believe it would be more logical to have different application fees rather than different restoration fees, as the additional work involved in processing certain types of application has to be done whatever the outcome. We have therefore decided to go ahead with our proposal to adjust the fees for application for restoration and for restoration itself. The total payable for restoration to the register (ie. application fee plus restoration fee) would not be increased. This re-alignment reflects the fact that certain regulatory tasks, such as fitness to practise procedures and other processes, require a greater proportion of the available resources. Our experience to date is that certain tasks relating to particular groups are more costly than others.

6. Other comments

What we asked

6.1 We asked for any further comments about the draft 2012 fees rules.

What we heard

Consultation question

Q6 Do you have any other comments you wish to make?

6.2 Comments from pharmacists included requests to review the fee structure and keep the fees reasonable, offer value for money and consider the drop in income for some pharmacy professionals when setting the fees. Some reiterated their opinion that the fees should be lower.

6.3 There was a comment that the GPhC and RPS should work together to look at the benefits they provide to pharmacists, including the protection of jobs for registered members, as supply was outstripping demand for pharmacy personnel and more pharmacists were being forced into locum jobs.

6.4 Some respondents commented that the 2% charge for credit card transactions and the £15 charge for paying fees by quarterly direct debit were excessive.

6.5 Support for the reduction in fees was reiterated; this was thought to demonstrate an understanding on the GPhC’s part of the current financial climate and the external factors affecting pharmacists.
6.6 There were comments that requiring payment of fees in October for the following year was unreasonable.

6.7 It was thought that the fees charged for applicants on completion of the pre-registration year and exam were very high, considering these were young people and not earning high salaries.

6.8 Some pharmacy technicians queried what their fees did, saying they did not feel any benefit from being on the register and if registration was compulsory they would like to see specific benefits.

6.9 A comment from a pharmacy technician was that the regular communication the GPhC had provided was impressive, including the publication of Regul+e. The GPhC had been transparent and fair and the savings made were appreciated.

6.10 Although welcoming the fee reductions proposed, some organisations reiterated their concern that fees for registered premises are not being reduced at present. There was concern that premises fees were being used to subsidise other regulatory activity.

**Our response**

6.11 A number of these points are addressed elsewhere in this report. The requirement to pay fees two months before registration expires stems from the Pharmacy Order. We will look into the potential for reducing this period if an opportunity arises to amend the legislation. We will also continue to review premises fees as we develop and implement our approach to regulating registered pharmacies.

6.12 The fees we charge are to fund our regulatory functions. Registration gives pharmacy professionals the right to practise and is key to upholding standards and maintaining public trust in pharmacy.

6.13 It is our job to protect, promote and maintain the health, safety and wellbeing of members of the public, and in particular those members of the public who use or need the services of pharmacy professionals or the services provided at a registered pharmacy. Other organisations exist to represent the interests of pharmacy professionals. We are nevertheless conscious of our responsibility to set fees which are reasonable and proportionate.

6.14 We have taken note of the Government’s intention to ban excessive surcharges for payments by debit or credit card. Government has said that businesses will not be able to make excessive surcharges but will be able to add a small charge to cover their actual costs for using any particular form of payment. The GPhC makes no charge for payment by debit card but does charge an additional 2% for payment of any fee by credit card. The 2% represents the typical cost levied on us by credit card companies for processing these payments.
6.15 The administration fee for the payment of renewal fees by quarterly direct debit is to cover costs associated with payment in arrears and technical and operational costs, which would otherwise be borne by other registrants.

6.16 The reductions in fees which we have agreed should be helpful to new registrants. In addition, we have recently reduced the fees for both entry to the pre-registration scheme and sitting the registration assessment (these fees are not covered by the fees rules).

6.17 We are grateful for the feedback we have received. We will continue to keep the structure and level of our fees under review.
Annex A: Respondents to the consultation

We received 309 responses to the consultation, 298 from individuals and 11 from organisations. Below is a list of the organisations which responded to the consultation.

**Responses from organizations**

A and S Phillips Pharmacy

Community Pharmacy Scotland

Association of Pharmacy Technicians UK

Guild of Healthcare Pharmacists

PharmaPlus Ltd

Pharmacy Voice

Poole Hospital NHS Foundation Trust

Plymouth Community Healthcare

PSNC

Royal Pharmaceutical Society

Shetland Health Board
Appendix 2

The General Pharmaceutical Council (Registration and Renewal Fees) Rules 2012

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29. Fees in respect of application to restore an entry to Part 3 of the Register
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Other fees

32. Administration fees

The General Pharmaceutical Council has made these Rules in exercise of the powers conferred by articles 36 and 66(1)(a) and (c) of the Pharmacy Order 2010(5), having consulted such persons and organisations listed in sub-paragraphs (a) to (d) of article 36(6) and in sub-paragraphs (a) to (h) of article 66(3) as it considered appropriate in relation to rules under Part 4 of that Order.

PART 1
General

Citation and commencement

1.—(1) These Rules may be cited as the General Pharmaceutical Council (Registration and Renewal Fees) Rules 2012.
(2) These Rules come into force on 15 October 2012.

Interpretation

2. In these Rules—
   “the Act” means the Medicines Act 1968;
   “certificate of good standing or current professional status” means a certificate issued by the Council in respect of a person which contains the information referred to in rule 10(6) of the Registration Rules;
   “credit card” means a card which—
   (a) is a credit-token falling within section 14(1)(b) of the Consumer Credit Act 1974(6), or
   (b) would be a credit-token falling within that enactment were that card to be given to an individual;
   “initial entry” means an entry in respect of a person or premises which is made for the first time in a Part of the Register;
   “the Order” means the Pharmacy Order 2010;
   “Registration Rules” means the rules contained in the Schedule to the General Pharmaceutical Council (Registration Rules) Order of Council 2010(7);

(5) S.I. 2010/231.
(6) 1974 c.39.
(7) These Rules are contained in the Schedule to S.I. 2010/1617.
“relevant person” means any person—
(a) whose name was, by virtue of a direction under section 8 of the Pharmacy Act 1954(8) (direction of unfitness by Statutory Committee), removed from the register maintained under section 2(1) of that Act, or
(b) whose name was, by virtue of a direction under article 52 of the Pharmacists and Pharmacy Technicians Order 2007(9) (determination as to fitness to practise by Disciplinary Committee), removed from—
the register of pharmacists maintained under article 10(1) of that Order, or
the register of pharmacy technicians maintained under article 21(1) of that Order,
and who immediately before 27th September 2010 was not registered in either of the registers referred to in paragraph (b)(i) or (ii).

Revocation

PART 2
Registered Pharmacists
Register entries or annotations

Fees in respect of application for entry in Part 1 of the Register
4.—(1) The fees specified in this rule are payable in respect of an application for the entry of a person in Part 1 of the Register.
(2) The fee is £102 if the application is in respect of a person other than a relevant person.
(3) The fee is £413 if the application is in respect of a relevant person.
(4) The whole of the fee specified in paragraph (2) or (3) above, as the case may be, is payable irrespective of whether the application for registration is granted.

Fee in respect of initial entry in Part 1 of the Register
5.—(1) The fee in respect of an initial entry in Part 1 of the Register is £240.
(2) The fee specified in paragraph (1) above is in addition to the application fee specified in rule 4 above.

Fees in respect of determining certain qualifications and experience
6.—(1) The fee in respect of the initial scrutiny of an application for entry in Part 1 of the Register to determine whether an exempt person is appropriately qualified pursuant to article 21(1)(b) of the Order is £105.
(2) The fee in respect of assessing whether an exempt person is appropriately qualified pursuant to article 21(1)(c) or article 21(1)(d)(ii)(aa) of the Order is £376.
(3) Where a determination described in paragraph (1) above is made to the effect that a person is not appropriately qualified and it is followed by the making of an assessment described in paragraph (2) above, the fee specified in each of those paragraphs is payable.
(4) The fees specified in this rule are payable in addition to the fees specified in rules 4 and 5 above.

(8) 1954 c.61. The Act was repealed by paragraph 1 of Schedule 1 to the Pharmacists and Pharmacy Technicians Order 2007 (S.I. 2007/289).
(9) S.I. 2007/289. The Order was revoked by paragraph 58 of Schedule 4 to the Pharmacy Order 2010 (S.I. 2010/231).
Fee in respect of application for an annotation to an entry in Part 1 of the Register

7. The fee in respect of an application for an annotation to be made to an entry in Part 1 of the Register in respect of a specialisation is £55.

Fee in respect of voluntary removal of an entry or an annotation

8. No fee is payable in respect of—
   (a) an application for the voluntary removal of an entry from Part 1 of the Register; or
   (b) an application for the voluntary removal of an annotation in respect of a specialisation made to an entry in Part 1 of the Register.

Renewal of entries

Fee in respect of renewal of an entry in Part 1 of the Register

9.—(1) The fee for renewal of an entry in Part 1 of the Register is £240.

   (2) A person (“P”) may enter into an arrangement with the Registrar to delay payment of part of the renewal fee under paragraph (1) above.

   (3) Where such an arrangement is entered into—
      (a) the fee is to be paid in instalments by way of direct debit; and
      (b) the outstanding balance of the amount equal to the aggregate of the renewal fee and any additional fee due under rule 14 below is payable immediately if—
         (i) any payment is not received;
         (ii) the terms and conditions referred to in rule 4(2) of the Registration Rules (which makes provision as to payment of fees by instalments) are in any other respect not complied with; or
         (iii) P makes an application for the voluntary removal of P’s entry from Part 1 of the Register.

   (4) Nothing in paragraph (2) or (3) above affects P’s liability to pay the whole of the renewal fee and any additional fee due under rule 14 below.

Restoration of entries or annotations

Fees in respect of application to restore an entry to Part 1 of the Register

10.—(1) The fees specified in this rule are payable in respect of an application for restoration of an entry to Part 1 of the Register.

   (2) Where the application is made following the voluntary removal of an entry, the fee is—
      (a) £384 if the application is made before the end of the period of 1 month starting with the date of the voluntary removal; and
      (b) £138 in any other case.

   (3) Where the application is made following the removal of an entry under or by virtue of a provision specified in—
      (a) article 37(1)(a) of the Order (which relates to the Registrar’s refusal to renew an entry); or
      (b) article 37(1)(b) of the Order (which relates to registrants’ failure to discharge duties with regard to their entries),
   the fee is £384.

   (4) Where the application is made following the removal of an entry under or by virtue of a provision specified in article 37(1)(c) of the Order (which relates to fraudulent or incorrect entries), the fee is—
      (a) £384 if an incorrect entry was removed because of non-payment of the whole or any part of a fee required by article 20(1)(b) or (2)(b) of the Order (entitlement to entry in Part 1 or 2 of the Register); and
(b) £551 in any other case.

(5) Where the application is made—

(a) following the removal of an entry under or by virtue of a provision specified in—

(i) article 37(1)(d) of the Order (which relates to fitness to practise matters before entry or renewal of an entry);  
(ii) article 37(1)(f) of the Order (which relates to indemnity arrangements); or  
(iii) article 37(1)(g) of the Order (which relates to failure to comply with continuing professional development framework or false declaration as to compliance); or

(b) following the grant of an application by the Council’s Fitness to Practise Committee under article 57 of the Order (restoration of names to the Register: fitness to practise),

the fee is £551.

(6) The whole of the fee specified in paragraph (2), (3), (4) or (5) above, as the case may be, is payable irrespective of whether the application for restoration of an entry is granted.

Fee in respect of restoration of an entry in Part 1 of the Register

11.—(1) The fee in respect of the restoration of an entry in respect of a person to Part 1 of the Register is £102.

(2) The restoration fee specified in paragraph (1) above is in addition to the application fee specified in rule 10 above and the whole of the restoration fee is payable irrespective of the date on which the entry is restored to Part 1 of the Register.

Fees in respect of restoring an annotation to an entry

12.—(1) The fees specified in this rule are payable in respect of an application for restoration of an annotation made to an entry in Part 1 of the Register.

(2) The fee is £55 if the application is made following the voluntary removal of the annotation.

(3) The fee is £184 if the application is made following the removal of the annotation by virtue of article 27(1)(c) of the Order (which includes provision for rules to be made as to the circumstances in which annotations to an entry may be removed).

(4) The whole of the fee specified in paragraph (2) or (3) above, as the case may be, is payable irrespective of whether the application for restoration of an annotation is granted.

Other fees

Fees in connection with notices and certificates

13.—(1) The fee for the replacement of a notice of entry in Part 1 of the Register is £15.

(2) The fee for issuing a certificate of good standing or current professional status in respect of a person entered in Part 1 of the Register is £78.

Administration fees

14.—(1) The fee for re-processing a payment which has not been honoured by the bank or card-issuer of an applicant for entry, or a registrant entered, in Part 1 of the Register is £20.

(2) The fee for processing an application for entry in Part 1 of the Register where the application has been returned to the applicant for additional information more than once is £47 in addition to the application fee payable under rule 4 above.

(3) Where an arrangement to delay payment of part of the renewal fee is entered into under rule 9 above, an additional fee of £15 for the administration of the arrangement shall be added to the first payment to be made in respect of the renewal fee.
(4) Where a credit card is used to pay a fee (“the primary fee”) specified in any of the preceding provisions of this Part—

(a) an additional fee for processing the payment shall be added to the primary fee; and

(b) the amount to be added is to be determined as 2 per cent. of the amount of the primary fee.

PART 3
Registered Pharmacy Technicians

Register entries

Fees in respect of application for entry in Part 2 of the Register

15.—(1) The fees specified in this rule are payable in respect of an application for the entry of a person in Part 2 of the Register.

(2) The fee is £102 if the application is in respect of a person other than a relevant person.

(3) The fee is £283 if the application is in respect of a relevant person.

(4) The whole of the fee specified in paragraph (2) or (3) above, as the case may be, is payable irrespective of whether the application for registration is granted.

Fee in respect of initial entry in Part 2 of the Register

16.—(1) The fee in respect of an initial entry in Part 2 of the Register is £108.

(2) The fee specified in paragraph (1) above is in addition to the application fee specified in rule 15 above.

Fees in respect of determining certain qualifications and experience

17.—(1) The fee in respect of the initial scrutiny of an application for entry in Part 2 of the Register to determine whether an exempt person has a right to practise as a pharmacy technician pursuant to article 22(1)(b) or (1)(c)(ii)(aa) of the Order is £194.

(2) The fee in respect of the initial scrutiny of an application for entry in Part 2 of the Register made by a person (“P”) to determine whether P—

(a) has completed elsewhere than in the United Kingdom education and training as a pharmacist or pharmacy technician which leads to a qualification entitling P to practise as a pharmacy professional in a country other than the United Kingdom; and

(b) meets Conditions 1 and 2,

is £44.

(3) Condition 1 is that, for the purposes of article 20(1)(a) of the Order, P is appropriately qualified pursuant to article 22(1)(c)(i) or (1)(c)(ii)(bb) of the Order.

(4) Condition 2 is that P has undertaken in the United Kingdom a minimum amount of relevant work experience of not less than 14 hours a week either whilst P was training to be qualified as described in Condition 1 or post-qualification.

(5) No fee is payable in respect of the initial scrutiny of an application for entry in Part 2 of the Register where, for the purposes of article 20(1)(a) of the Order, the person is appropriately qualified pursuant to article 22(1)(a) of the Order (approved qualification awarded in Great Britain).

(6) The fees specified in this rule are payable in addition to the fees specified in rules 15 and 16 above.

Fee in respect of voluntary removal of an entry

18. No fee is payable in respect of an application for the voluntary removal of an entry from Part 2 of the Register.
Renewal of entries

Fee in respect of renewal of an entry in Part 2 of the Register

19.—(1) The fee for renewal of an entry in Part 2 of the Register is £108.

(2) A person (“P”) may enter into an arrangement with the Registrar to delay payment of part of the renewal fee under paragraph (1) above.

(3) Where such an arrangement is entered into—
   (a) the fee is to be paid in instalments by way of direct debit; and
   (b) the outstanding balance of the amount equal to the aggregate of the renewal fee and any additional fee due under rule 23 below is payable immediately if—
      (i) any payment is not received;
      (ii) the terms and conditions referred to in rule 4(2) of the Registration Rules (which makes provision as to payment of fees by instalments) are in any other respect not complied with; or
      (iii) P makes an application for the voluntary removal of P’s entry from Part 2 of the Register.

(4) Nothing in paragraph (2) or (3) above affects P’s liability to pay the whole of the renewal fee and any additional fee due under rule 23 below.

Restoration of entries

Fees in respect of application to restore an entry to Part 2 of the Register

20.—(1) The fees specified in this rule are payable in respect of an application for restoration of an entry to Part 2 of the Register.

(2) Where the application is made following the voluntary removal of an entry, the fee is—
   (a) £195 if the application is made before the end of the period of 1 month starting with the date of the voluntary removal; and
   (b) £6 in any other case.

(3) Where the application is made following the removal of an entry under or by virtue of a provision specified in—
   (a) article 37(1)(a) of the Order (which relates to the Registrar’s refusal to renew an entry); or
   (b) article 37(1)(b) of the Order (which relates to registrants’ failure to discharge duties with regard to their entries),
the fee is £195.

(4) Where the application is made following the removal of an entry under or by virtue of a provision specified in article 37(1)(c) of the Order (which relates to fraudulent or incorrect entries), the fee is—
   (a) £195 if an incorrect entry was removed because of non-payment of the whole or any part of a fee required by article 20(1)(b) or (2)(b) of the Order (entitlement to entry in Part 1 or 2 of the Register); and
   (b) £290 in any other case.

(5) Where the application is made—
   (a) following the removal of an entry under or by virtue of a provision specified in—
      (i) article 37(1)(d) of the Order (which relates to fitness to practise matters before entry or renewal of an entry);
      (ii) article 37(1)(f) of the Order (which relates to indemnity arrangements); or
      (iii) article 37(1)(g) of the Order (which relates to failure to comply with continuing professional development framework or false declaration as to compliance); or
   (b) following the grant of an application by the Council’s Fitness to Practise Committee under article 57 of the Order (restoration of names to the Register: fitness to practise),
the fee is £290.

(6) The whole of the fee specified in paragraph (2), (3), (4) or (5) above, as the case may be, is payable irrespective of whether the application for restoration of an entry is granted.

Fee in respect of restoration of an entry in Part 2 of the Register

21. — (1) The fee in respect of the restoration of an entry in respect of a person to Part 2 of the Register is £102.

(2) The restoration fee specified in paragraph (1) above is in addition to the application fee specified in rule 20 above and the whole of the restoration fee is payable irrespective of the date on which the entry is restored to Part 2 of the Register.

Other fees

Fees in connection with notices and certificates

22. — (1) The fee for the replacement of a notice of entry in Part 2 of the Register is £15.

(2) The fee for issuing a certificate of good standing or current professional status in respect of a person entered in Part 2 of the Register is £78.

Administration fees

23. — (1) The fee for re-processing a payment which has not been honoured by the bank or card-issuer of an applicant for entry, or a registrant entered, in Part 2 of the Register is £20.

(2) The fee for processing an application for entry in Part 2 of the Register where the application has been returned to the applicant for additional information more than once is £47 in addition to the fee payable under rule 15 above.

(3) Where an arrangement to delay payment of part of the renewal fee is entered into under rule 19 above, an additional fee of £15 for the administration of the arrangement shall be added to the first payment to be made in respect of the renewal fee.

(4) Where a credit card is used to pay a fee (“the primary fee”) specified in any of the preceding provisions of this Part—

(a) an additional fee for processing the payment shall be added to the primary fee; and

(b) the amount to be added is to be determined as 2 per cent. of the amount of the primary fee.

PART 4

Premises

Register entries or annotations

Fee in respect of application for entry in Part 3 of the Register

24. — (1) The fee in respect of an application for the entry of premises in Part 3 of the Register is £568.

(2) The whole of the fee specified in paragraph (1) above is payable irrespective of whether the application for registration is granted.

Fee in respect of initial entry in Part 3 of the Register

25. — (1) The fee in respect of an initial entry of premises in Part 3 of the Register is £221.

(2) The fee specified in paragraph (1) above is in addition to the application fee specified in rule 24 above.
Fee in respect of application for an annotation to an entry in Part 3 of the Register

26. The fee in respect of an application for an annotation to be made to an entry in Part 3 of the Register in respect of a specialisation is £55.

Fee in respect of voluntary removal of an entry or an annotation

27. No fee is payable in respect of—
   (a) an application for the voluntary removal of an entry of premises from Part 3 of the Register; or
   (b) an application for the voluntary removal of an annotation in respect of a specialisation made to an entry in Part 3 of the Register.

Renewal of entries

Fees in respect of renewal of an entry in Part 3 of the Register

28.—(1) The fee for renewal of an entry in Part 3 of the Register is £221 if the renewal is for a period of one year beginning with the date on which the entry would otherwise have ceased to be valid.
   (2) If the Registrar renews an entry in Part 3 of the Register for a period exceeding one year\(^{(10)}\), the fee for renewal of the entry is to be increased proportionately.

Restoration of entries or annotations

Fees in respect of application to restore an entry to Part 3 of the Register

29.—(1) The fees specified in this rule are payable in respect of an application for restoration of an entry of premises to Part 3 of the Register.
   (2) Where the application is made following the voluntary removal of an entry, the fee is £119.
   (3) Where the application is made following the removal of an entry under or by virtue of a provision specified in—
      (a) article 37(2)(a) of the Order (which relates to failure to comply with improvement notice);
      (b) section 74C(1) of the Act (which relates to non-renewal of an entry); or
      (c) section 74I(1) of the Act (which relates to non-notification of change of ownership of retail pharmacy premises),
   the fee is £687.
   (4) The whole of the fee specified in paragraph (2) or (3) above, as the case may be, is payable irrespective of whether the application for restoration of an entry is granted.

Fee in respect of restoration of an entry in Part 3 of the Register

30.—(1) The fee in respect of the restoration of an entry in respect of premises to Part 3 of the Register is £102.
   (2) The restoration fee specified in paragraph (1) above is in addition to the application fee specified in rule 29 above and the whole of the restoration fee is payable irrespective of the date on which the entry is restored to Part 3 of the Register.

\(^{(10)}\) The Registrar’s power to renew an entry for a period exceeding one year is conferred by section 74A(8) of the Medicines Act 1968 (c.67) and rule 24(8) of the Rules contained in the Schedule to the General Pharmaceutical Council (Registration Rules) Order of Council 2010 (S.I. 2010/1617). Section 74A of the Medicines Act 1968 was inserted by paragraph 1(8) of Schedule 4 to the Pharmacy Order 2010 (S.I. 2010/231).
Fee in respect of restoring an annotation to an entry

31.—(1) The fee in respect of an application for restoration of an annotation made to an entry in Part 3 of the Register following the voluntary removal of the annotation is £55.

(2) The whole of the fee specified in paragraph (1) above is payable irrespective of whether the application for restoration of an annotation is granted.

Other fees

Administration fees

32.—(1) The fee for re-processing a payment which has not been honoured by the bank or card-issuer of an applicant for the entry of premises in Part 3 of the Register or, as the case may be, a person carrying on a retail pharmacy business at premises entered in Part 3 of the Register is £20.

(2) The fee for processing an application for the entry of premises in Part 3 of the Register where the application has been returned to the applicant for additional information more than once is £47 in addition to the application fee payable under rule 24 above.

(3) The fee for making an alteration to an entry in Part 3 of the Register to record a change of ownership of a retail pharmacy business carried on at premises entered in that Part of the Register is £76.

(4) Where a credit card is used to pay a fee (“the primary fee”) specified in any of the preceding provisions of this Part—

(a) an additional fee for processing the payment shall be added to the primary fee; and

(b) the amount to be added is to be determined as 2 per cent. of the amount of the primary fee.


[Seal]

Chair

Registrar