Public business

Fees Rules

Purpose
To provide the Council with a final version of the fees rules for making and a draft report of the fees rules consultation for approval

Recommendations

The Council is asked:

i. to approve the draft report on the fees rules consultation for publication (Appendix 1);

ii. to make The General Pharmaceutical Council (2011 Registration and Renewal Fees) Rules 2010 (Appendix 2); and

iii. to agree that the GPhC’s corporate seal be affixed to these rules.

1.0 Introduction

1.1 In May, the Council published draft 2011 fees rules for consultation. The consultation closed on 16 August 2010. We received 95 responses in all, from a range of organisations and individuals. Appendix 1 summarises the responses and describes how they have been taken into account in producing a final version of the rules.

1.2 The rules have been developed through an iterative process, informed by informal discussions in February, March and April and formal consideration of the consultation document and draft rules in May 2010. During the consultation period, Council members have continued to review the draft rules.
2.0 **Key Considerations**

2.1 The GPhC must have fees rules in place when responsibility for regulation transfers to the GPhC. This is expected to happen on 27 September 2010, subject to parliamentary process. The fees rules do not require Privy Council approval and do not have to be laid in Parliament. It is proposed to bring the fees rules into force on 27 September 2010.

2.2 The Council should also be aware that there is provision in the GPhC Registration Rules for the Registrar to waive fees:

**Fees**

4. (1) The Registrar may decide, at the Registrar’s discretion—
   (a) not to charge a prescribed fee in connection with an application under Part 3 or 5 of these Rules; or
   (b) to waive a prescribed fee in respect of such an application either in whole or in part.

(2) The Registrar may offer to any person who makes an application under Part 3 or 5 of these Rules (“the applicant”) the option of paying a prescribed fee in connection with the application by way of direct debit in instalments or otherwise and the payment by direct debit of any such fee is to be subject to such terms and conditions as are agreed between the Registrar and the applicant.

3.0 **Equality & diversity implications**

3.1 An equality impact assessment on the draft fees rules was produced and published on the GPhC website during the consultation period. Some of the points raised related to registration requirements and were covered in the consultation report on the registration rules. Other points relating to equality and diversity, such as fees relating to overseas applications, are covered in Appendix 1.

4.0 **Communications implications**

4.1 The report of the consultation and the final version of the rules will be published on the GPhC website and highlighted to the pharmacy media. Communications to registrants from the GPhC have already begun with the mailing of an information pack about the GPhC standards and changes to pharmacy regulation. This will be followed by information on new registration numbers and, around the end of September, information about the process for renewal of registration.
5.0 **Resource implications**

5.1 As an independent regulator, the GPhC must set fees to cover the costs of its activities. The fees are based on expected regulatory activity and the forecast costs of delivering and enabling that activity.

5.2 The GPhC will not inherit any reserves from the RPSGB and will also need to consider its reserves policy and establish a reasonable level of reserves during the first few years of operation.

6.0 **Risk implications**

6.1 The GPhC must have fees rules in place from the date when it commences regulatory operations. Any delay to the making of the rules would have a significant impact on preparations for the renewal process, particularly the production and mailing of renewal notices.

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