The General Pharmaceutical Council (GPhC), which is preparing to be the new, independent regulator for pharmacy, is currently seeking views on its draft legislative rules to ensure they are clear, comprehensive and fair. Five sets of rules, which set out the detail of key processes, were made available for consultation from 16 February to 4 May 2010 at www.pharmacyregulation.org (PJ, 20 February 2010, p179). As a result, questions are being asked by pharmacists in relation to the rules and the move to a new regulator for pharmacy. Key examples follow.

I currently live and work overseas, and I pay the Royal Pharmaceutical Society’s overseas fee. Why is the GPhC not proposing to have a special overseas fee, and will I be able to register with the GPhC when the time comes? The Pharmacy Order 2010, which establishes the GPhC and sets out its role, function and powers, states that, to be entitled to register with the GPhC, a person must intend to practise in Great Britain, the Channel Islands or the Isle of Man. As a result there are no specific provisions for overseas pharmacists in the draft GPhC 2010 Fees Rules. Instead, pharmacists and pharmacy technicians working overseas will be able to register with the GPhC — and pay the normal registration fee — as long as they intend to return to practise in Great Britain, the Channel Islands or the Isle of Man in the future.

Those paying the Society’s current overseas fee are placed on its non-practising register. However, the GPhC will not have a non-practising register. The registration of pharmacists who are not on the Society’s practising register (Part 1) when regulation transfers to the GPhC (the date when regulation will transfer to the GPhC) will be announced nearer the time. They will not transfer automatically to the GPhC and these pharmacists will cease to be GB-registered. They could then apply for registration with the GPhC, as a new applicant, subject to meeting the GPhC’s registration requirements. The GPhC is currently consulting on the GPhC’s draft rules, including registration rules. Readers are invited to access them (www.pharmacyregulation.org) and send in their views.

The GPhC is encouraging current non-practising and overseas registrants to consider whether they need to move to the practising register of the Society before the transfer of regulatory powers to the GPhC, so that they will transfer automatically to the GPhC register. Information on how to move to the practising part of the Society’s register can be found on its website.

I have voluntarily retired from the Society’s register. If I want to apply for registration once the GPhC is up and running, will I have to make a new application (eg, will I have to submit all the relevant information again as if it were a first-time application), or will my former registration with the Society be taken into account in any way? The draft rules currently contain no specific provisions in respect of an application for GPhC registration from someone who was formerly on one of the Society’s registers but was not on the practising register when regulation transferred to the GPhC. In other words, such a person would have to submit a new application.

The GPhC is consulting on an application fee and an initial entry fee for 2010. I am on the Society’s practising register and have already paid my 2010 renewal fee. Will I have to pay either one or both of these new GPhC fees for 2010 when regulation transfers? The draft 2010 fees rules on which the GPhC is currently consulting are intended to come into force when the GPhC becomes operational — that date is subject to parliamentary timetables and process and is not yet determined. However, the application fee and initial entry fee will apply only to new applicants after the GPhC becomes operational. Those on the Society’s practising register at the point when regulation transfers from the Society to the GPhC, will transfer to the GPhC register automatically and the application fee and initial entry fee will not apply. They will then pay their renewal fee for 2011 in due course. The GPhC will be consulting on renewal fees for 2011 later this year.

I’m confused about the GPhC’s “notice of registration”. What will happen to my old Royal Pharmaceutical Society certificate? Will I have to give that back? Certificates issued by the Society will not be valid as proof of registration with the GPhC and will not confirm registration as a pharmacist or pharmacy technician. There are provisions within the Pharmacy Order 2010 that require the GPhC’s registrar to issue a notice of registration, where an application for entry or for renewal of an entry in the register is granted. Although it is unlikely that pharmacists will be required to return their Society certificate, no decisions have been made on this so far. The form of the notice of registration with the GPhC is yet to be determined.

When will my fees be due each year? Will there be any change? The draft registration rules do propose some changes to the fees payment schedule. The draft rules would require registrants to submit their renewal forms, with payment, no later than two months before their registration would otherwise expire (ie, by 31 October for existing registrants). Renewal notices would be sent out by 30 September for existing registrants. There are no provisions for statutory reminders about unpaid fees and registrants could be removed from the register after 31 December — when their entry ceased to be valid — if they have not paid the renewal fee by that time.