

Explanatory Memorandum to The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025

This Explanatory Memorandum has been prepared by the Primary Care and Mental Health Division within the Health, Social Care and Early Years Group of the Welsh Government and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025.

Jeremy Miles MS
Cabinet Secretary for Health and Social Care
7 March 2025

Part 1

1. Description

- 1.1 The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025 amend the National Health Service (Pharmaceutical Services) (Wales) Regulations 2020 ('2020 Regulations') and the National Health Service (Pharmaceutical Services) (Wales) (Amendment) Regulations 2024 ('2024 Amendment Regulations').
- 1.2 The 2024 Amendment Regulations were laid in the Senedd on 22 November 2024 and amended the 2020 Regulations to:
- update and clarify the terms of service for community pharmacy contractors providing NHS pharmaceutical services in Wales.
 - extend the existing regulations for the dispensing, supply and provision of medicines and appliances by community pharmacists to include signed orders issued by optometrists working in the NHS in Wales as part of the [Wales General Ophthalmic Services \(WGOS\)](#) introduced in 2023.
 - introduce regulations to allow the implementation of original pack dispensing by NHS pharmacies and dispensing doctors in Wales from 1 January 2025.
- 1.3 The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025 address typographical errors and minor points of clarification.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

- 2.1 The Legislation, Justice and Constitution Committee report¹ on the 2024 Amendment Regulations identified technical points under Standing Order 21.2.
- 2.2 The Government Response² indicated that further amending regulations would be brought forward to correct the matters raised in relation to technical points 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13 and 14. The remaining technical points are covered in the Government Response.
- 2.3 In relation to technical point 1 of the report, The National Health Service (Pharmaceutical Services) (Wales) (Amendment) (Amendment) Regulations 2024 were made and laid on 10 December 2024 correcting regulation 1(3) and enabling the relevant provisions to come into force on 1 January 2025.

¹ [SL\(6\)551 The National Health Service \(Pharmaceutical Services\) \(Wales\) \(Amendment\) Regulations 2024](#)

² [Government Response: The National Health Service \(Pharmaceutical Services\) \(Wales\) \(Amendment\) Regulation 2024](#)

- 2.4 The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025 address matters relating to technical points 2, 3, 4, 6, 7, 8, 9, 10, 11, 13 and 14 as indicated in the LJCC's report and Government Response.

3. Legislative background

- 3.1 The National Health Service (Pharmaceutical Services) (Wales) (Miscellaneous Amendments) Regulations 2025 amend the 2020 Regulations which govern the provision of pharmaceutical services as part of the National Health Service in Wales under Part 7 of the National Health Service (Wales) Act 2006.
- 3.2 Correcting amendments have been made to the 2020 Regulations or the 2024 Amendment Regulations depending on the type of amendment required.
- 3.3 Amendments to the 2024 Amendment Regulations, which are contained in regulation 3 of the 2025 Regulations, will take effect on 31 March 2025 (i.e. in advance of those provisions taking effect for the purposes of the main 2020 Regulations) whilst the direct amendments made to the 2020 Regulations, contained in regulation 2, will come into force on 1 April 2025.
- 3.4 These Regulations follow the negative resolution procedure.

4. Purpose and intended effect of the legislation

- 4.1 These Regulations are made in response to errors identified in, and clarifications required by, the LJCC's report on the National Health Service (Pharmaceutical Services) (Wales) (Amendment) Regulations 2024.
- 4.2 No policy changes are proposed in these Regulations.

5. Consultation

- 5.1 There is no statutory requirement to consult prior to making these Regulations.
- 5.2 No formal consultation has taken place as these Regulations make only technical amendments which do not alter existing policy arrangements or the previous consultation carried out on the proposed policy changes.

6. Regulatory Impact Assessment

- 6.1 No Regulatory Impact Assessment has been produced to accompany these Regulations as the amendments are technical and will have no major policy impact. This is in line with the policy set out in the Welsh Ministers' RIA Code for subordinate legislation.