STATUTORY INSTRUMENTS

# 2026 No. 1184

# NATIONAL HEALTH SERVICE, ENGLAND

## The National Health Service (Pharmaceutical and Local Pharmaceutical Services) (Amendment) (No. 3) Regulations 2026

*Made - - - - at 11.04 a.m. on 11th November 2026*

*Laid before Parliament at 4.00 p.m. on 11th November 2026*

*Coming into force - - 10th December 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 126(2), 129(1) and (6)(f) and 272(7) and (8) of, and paragraphs 3(1) and (3)(c) and (d) of Schedule 12 to, the National Health Service Act 2006(**a**).

**Citation, commencement, extent and application**

**1.**—(1) These Regulations may be cited as The National Health Service (Pharmaceutical and Local Pharmaceutical Services) (Amendment) (No. 3) Regulations 2026.

(2) These Regulations come into force on 10th December 2026.

(3) These Regulations extend to England and Wales and apply in relation to England only(**b**).

**Amendment of the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013**

**2.** The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013(**c**) are amended in accordance with regulations 3 and 4.

**Amendments to Schedule 4**

**3.**—(1) Schedule 4 (terms of service of NHS pharmacists) is amended as follows.

(2) In paragraph 1 (responsibilities of NHS pharmacists and pharmacy staff)—

(a) in sub-paragraph (1)(a)(ii)—

(**a**) 2006. c. 41. Section 126 has been amended by: the Health and Social Care Act 2012 (c. 7) ("the 2012 Act"), sections 213(7)(k) and 220(7), and Schedule 4, paragraph 63; the Children and Social Work Act 2017 (c. 16), Schedule 5, paragraphs 30 and 47(j); and the Health and Care Act 2022 (c. 31) ("the 2022 Act"), Schedule 1, paragraph 1. Section 129 has been amended by: the Health Act 2009 (c. 21), sections 26 and 27, and Schedule 6; the 2012 Act, section 207(1) to (9), and Schedule 4, paragraph 66; the Protection of Freedoms Act 2012 (c. 9), Schedule 9, paragraphs 120 and 121; the 2022 Act, Schedule 1, paragraph 1; and S.I. 2010/231. Paragraph 3 of Schedule 12 has been amended by: the 2012 Act, Schedule 4, paragraph 93(4); the Crime and Courts Act 2013 (c. 22), Schedule 9, paragraph 52; and the 2022 Act, Schedule 1, paragraph 1. See section 275(1) of the National Health Service Act 2006 for the meanings given to "prescribed" and "regulations", which are relevant to the powers being exercised.

(**b**) See section 271(1) of the National Health Service Act 2006 (c. 41), by virtue of which the functions of the Secretary of State being exercised in the making of these Regulations are exercisable only in relation to England.

(**c**) S.I. 2013/349, as amended.

(i) in paragraph (aa), for "(who" substitute "or duly authorised registered pharmacy technician (who, in either case,", and

(ii) in paragraph (bb), after "registered pharmacists" insert "or registered pharmacy technicians"; and

(b) in sub-paragraph (1)(b)—

(i) in sub-paragraph (i), after "registered pharmacist" insert "or duly authorised registered pharmacy technician", and

(ii) in sub-paragraph (ii), after "registered pharmacists" insert "or registered pharmacy technicians".

(3) In paragraph 8 (providing ordered drugs or appliances)(**a**)—

(a) for sub-paragraph (2) substitute—

"(2ZA) Drugs or appliances so ordered must be provided—

(a) by or under the supervision of a registered pharmacist;

(b) pursuant to an authorisation (in the case of a pharmacy or prescription only medicine, under regulation 220B of the Human Medicines Regulations 2012 (sale or supply of items dispensed by a pharmacist who is absent or treated as absent)(**b**)) duly given by a registered pharmacist to a member of P's staff (including locums) who, when carrying out the transaction, must act in accordance with that authorisation; or

(c) pursuant to an authorisation (in the case of a pharmacy or prescription only medicine, under regulation 220A of the Human Medicines Regulations 2012 (authorisations given by pharmacists to registered pharmacy technicians)(**c**)) duly given by a registered pharmacist to a registered pharmacy technician, and if the authorisation authorises the registered pharmacy technician—

(i) to carry out the transaction, the registered pharmacy technician, when carrying out the transaction, must act in accordance with that authorisation, or

(ii) to supervise the carrying out of the transaction by another person, that other person and the registered pharmacy technician must act in accordance with the authorisation and that other person, when carrying out the transaction, must act under the supervision of the registered pharmacy technician.

(2ZB) Except where sub-paragraph (2ZC) applies, drugs and appliances so ordered must only be provided if a registered pharmacist is at the pharmacy premises at or from which they are provided.

(2ZC) During a period that is—

(a) part of the opening hours (for the purposes of paragraph 23) of P's pharmacy premises, if there is no pharmacist at the premises for a period that is no longer than 20 minutes because a pharmacist is taking a rest break to which they are entitled by virtue of regulation 12 of the Working Time Regulations 1998 (rest breaks)(**d**); or

(b) outside of those opening hours but nevertheless part of the business hours (for the purposes either of regulations or of General Pharmaceutical Council rules

(**a**) Paragraph 8 was amended by S.I. 2019/990, 2020/1126, 2021/169 and 1346 and 2024/894.
(**b**) S.I. 2012/1916; the relevant amending instrument is 2025/1249.
(**c**) The relevant amending instrument is S.I. 2025/1249.
(**d**) S.I. 1998/1833; amended by S.I. 2002/3128.

under section 72A of the Medicines Act 1968 (the responsible pharmacist)(**a**)) of P's pharmacy premises,

P may provide, at or from those premises and pursuant to an authorisation as mentioned in sub-paragraph (2ZA)(b), drugs or appliances so ordered.";

(b) in sub-paragraph (2C)(b), for "or directly supervising the provision" substitute ", supervising or authorising the transaction as mentioned in sub-paragraph (2ZA)(a) or (b), or the registered pharmacy technician carrying out or supervising the transaction as mentioned in sub-paragraph (2ZA)(c),";

(c) in sub-paragraph (3)—

(i) after "registered pharmacist", at both places it occurs, insert "or registered pharmacy technician", and

(ii) for "sub-paragraph (2)" substitute "sub-paragraph (2ZA)";

(d) in sub-paragraph (6), after "registered pharmacist" insert "or duly authorised registered pharmacy technician"; and

(e) in sub-paragraph (11), after "registered pharmacist" insert "or duly authorised registered pharmacy technician".

(4) In paragraph 9 (refusal to provide drugs or appliances ordered)(**b**), in sub-paragraph (1)(b), after "registered pharmacist's" insert "or duly authorised registered pharmacy technician's".

**Amendments to Schedule 7**

**4.**—(1) Schedule 7 (mandatory terms for LPS schemes) is amended as follows.

(2) In paragraph 1 (general provisions)(**c**)—

(a) in sub-paragraph (4)(a)(ii)—

(i) after "registered pharmacist", at the first place it occurs, insert "or duly authorised registered pharmacy technician", and

(ii) after "registered pharmacist", at the second place it occurs, insert "or registered pharmacy technician"; and

(b) in sub-paragraph (4)(b), after "registered pharmacists" insert "or registered pharmacy technicians".

(3) In paragraph 6 (providing ordered drugs or appliances)(**d**)—

(a) after sub-paragraph (1) insert—

"(1ZA) Drugs or appliances so ordered must be provided—

(a) by or under the supervision of a registered pharmacist;

(b) pursuant to an authorisation (in the case of a pharmacy or prescription only medicine, under regulation 220B of the Human Medicines Regulations 2012 (sale or supply of items dispensed by a pharmacist who is absent or treated as absent)(**e**)) duly given by a pharmacist to a member of C's staff (including locums) who, when carrying out the transaction, must act in accordance with that authorisation; or

(**a**) 1968 c. 67; section 72A was inserted by the Health Act 2006 (c. 28), section 30(1), and amended by S.I. 2022/849.
(**b**) Paragraph 9 was amended by S.I. 2018/1114, 2019/990, 2020/1126, 2021/169 and 1346, 2023/171 and 1071.
(**c**) Paragraph 1 was amended by S.I. 2023/1071 and 2025/989.
(**d**) Paragraph 6 was amended by S.I. 2019/990, 2021/1346 and 2024/894.
(**e**) S.I. 2012/1916; the relevant amending instrument is S.I. 2025/1249.

(c) pursuant to an authorisation (in the case of a pharmacy or prescription only medicine, under regulation 220A of the Human Medicines Regulations 2012 (authorisations given by pharmacists to registered pharmacy technicians)(**a**)) duly given by a pharmacist to a registered pharmacy technician, and if the authorisation authorises the pharmacy technician—

(i) to carry out the transaction, the pharmacy technician, when carrying out the transaction, must act in accordance with the authorisation, or

(ii) to supervise the carrying out of the transaction by another person, that other person and the pharmacy technician must act in accordance with the authorisation and that other person, when carrying out the transaction, must act under the supervision of the pharmacy technician.

(1ZB) Except where sub-paragraph (1ZC) applies, drugs and appliances so ordered must only be provided if a pharmacist is at the scheme premises at or from which they are provided.

(1ZC) During a period that is—

(a) part of the opening hours (agreed for the purpose of the scheme) of C's scheme premises, if there is no pharmacist at the premises for a period that is no longer than 20 minutes because a pharmacist is taking a rest break to which they are entitled by virtue of regulation 12 of the Working Time Regulations 1998 (rest breaks)(**b**); or

(b) outside of those opening hours but nevertheless part of the business hours (for the purposes either of regulations or of General Pharmaceutical Council rules under section 72A of the Medicines Act 1968 (the responsible pharmacist)(**c**)) of C's scheme premises,

C may provide, at or from those premises and pursuant to an authorisation as mentioned in sub-paragraph (1ZA)(b), drugs or appliances so ordered.";

(b) in sub-paragraph (1C)(b)—

(i) after "registered pharmacist" insert "or registered pharmacy technician", and

(ii) for "directly supervising the provision" substitute "supervising or authorising the transaction as mentioned in sub-paragraph (1ZA)(a) or (b), or the registered pharmacy technician carrying out or supervising the transaction as mentioned in sub-paragraph (1ZA)(c),";

(c) in sub-paragraph (4), after "registered pharmacist" insert "or duly authorised registered pharmacy technician"; and

(d) in sub-paragraph (9), after "registered pharmacist" insert "or registered pharmacy technician".

(4) In paragraph 7 (refusal to provide drugs or appliances ordered)(**d**), in sub-paragraph (1)(b)(ii), after "registered pharmacist's" insert "or registered pharmacy technician's".

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(**a**) The relevant amending instrument is S.I. 2025/1249.
(**b**) S.I. 1998/1833; amended by S.I. 2002/3128.
(**c**) 1968 c. 67; section 72A was inserted by the Health Act 2006 (c. 28), section 30(1), and amended by S.I. 2022/849.
(**d**) Paragraph 7 was amended by S.I. 2018/1114, 2019/990, 2020/1126, 2021/1346, 2023/171 and 1071.

Signed by authority of the Secretary of State for Health and Social Care

*Diana Johnson*
Minister of State
At 11.04 a.m. on 11th November 2026 Department of Health and Social Care

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make amendments to the National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 ("the PLPS Regulations"). The PLPS Regulations govern arrangements, in England, for the provision of pharmaceutical services and local pharmaceutical services under Part 7 of the National Heath Service Act 2006.

The terms of service of community pharmacies providing pharmaceutical and local pharmaceutical services are set out in Schedules 4 and 7 of the PLPS Regulations. Both sets of terms of service are amended to take account of changes relating to the supervision of the supply of pharmacy and prescription only medicines at or from pharmacies that were included in regulations 220A and 220B of the Human Medicines Regulations 2012 (S.I. 2012/1916) (HMRs), inserted by the Human Medicines (Authorisation by Pharmacists and Supervision by Pharmacy Technicians) Order 2025 (S.I. 2025/1249). The principles set out in those provisions of the HMRs will also apply to the authorisation and supervision of the supply of other NHS prescription items.

Previously, supplies of NHS prescription items had to be by or under the direct supervision of a pharmacist. Going forward there will be three options: supply by or under the supervision of a pharmacist; supply by or under the supervision of a pharmacy technician, where that has been authorised by a pharmacist; and supply of dispensed items that a pharmacist who is to be absent has authorised another member of the pharmacy staff to carry out (known as supply of "checked and bagged" items). Generally, supplies of NHS prescription items will only be possible where a pharmacist is at the pharmacy, but an exception is made for checked and bagged items, which can be supplied when there is no pharmacist at the pharmacy because of a short rest break -– or because the pharmacy is open outside of its NHS opening hours but the responsible pharmacist signed in at the pharmacy is nevertheless permitted to be absent. Other provisions relating to final supply of prescription items are also updated to take account of the new arrangements enabling the authorisation of pharmacy technicians to carry out or supervise such supplies.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the public sector is foreseen, and only a limited impact on the private sector, below the threshold for producing a full impact assessment.

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