



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

PART II

PRIMARY CARE

Pharmaceutical services

27 Provision of additional pharmaceutical services.

^{F1}(1)

(2) In the 1978 Act, after section 27, insert—

“27A Arrangements for providing additional pharmaceutical services.

- (1) The Secretary of State may—
 - (a) give directions to a Health Board requiring them to arrange for the provision to persons in their area of additional pharmaceutical services; or
 - (b) by giving directions to a Health Board authorise them to arrange for such provision if they wish to do so.
- (2) Directions under this section may make different provision in relation to different services specified in the directions.
- (3) The Secretary of State must publish any directions under this section in the Drug Tariff or in such other manner as he thinks appropriate.
- (4) In this section—

“additional pharmaceutical services”, in relation to directions, means such services (of a kind that do not fall within section 27) as may be specified in the directions; and

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Cross Heading: Pharmaceutical services. (See end of Document for details)

“Drug Tariff” means the Drug Tariff published under regulation 9 of the ^{M1}National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 or under any corresponding provision replacing, or otherwise derived from, that regulation.”

Textual Amendments

F1 S. 27(1) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1 Sch. 3 Pt. 1](#))

Marginal Citations

M1 [S.I. 1995/414](#).

28 Terms and conditions etc.

^{F2}(1)

(2) In the 1978 Act, after section 27A, insert—

“27B Terms and conditions etc.

- (1) Directions under section 27A may require the Health Board to whom they apply, when making arrangements—
 - (a) to include, in the terms on which the arrangements are made, such terms as may be specified in the directions;
 - (b) to impose, on any person providing a service in accordance with the arrangements, such conditions as may be so specified.
- (2) The arrangements must secure that any service to which they apply is provided only by a person whose name is included in a pharmaceutical list.
- (3) Different arrangements may be made with respect to—
 - (a) the provision of the same service by the same person but in different circumstances; or
 - (b) the provision of the same service by different persons.
- (4) A Health Board must provide details of proposed arrangements (including the remuneration to be offered for the provision of services) to any person who asks for them.
- (5) After making any arrangements, a Health Board must publish, in such manner as the Secretary of State may direct, such details of the arrangements as he may direct.
- (6) In this section, “pharmaceutical list” means, subject to any provision of the directions in question, a list—
 - (a) published by the Health Board concerned, or by any other Health Board, in accordance with regulations made under section 27(2) of this Act; or
 - (b) published by any body in accordance with regulations made under section 42(2) of the ^{M2}National Health Service Act 1977 or Article

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Cross Heading: Pharmaceutical services. (See end of Document for details)

63(2A)(a) of the ^{M3}Health and Personal Social Services (Northern Ireland) Order 1972.”

Textual Amendments

F2 S. 28(1) repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

Marginal Citations

M2 1977 c. 49.

M3 S.I. 1972/1265 (N.I.14).

29 Authorised provision of pharmaceutical services by medical practitioners.

^{F3}(1)

(2) In section 28 of the 1978 Act, after subsection (2), insert—

“(2A) Regulations shall provide for the preparation and publication by a Health Board of one or more lists of medical practitioners who undertake to supply drugs and appliances in the Board’s area.

(2B) The regulations shall include provision for the removal of an entry from a list in prescribed circumstances.”

Textual Amendments

F3 S. 29(1) repealed (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 4** (with Sch. 2 Pt. 1 Sch. 3 Pt. 1)

Changes to legislation:

There are currently no known outstanding effects for the National Health Service (Primary Care) Act 1997, Cross Heading: Pharmaceutical services.