

*These notes refer to the Health and Social Care Act 2001
(c.15) which received Royal Assent on 11 May 2001*

HEALTH AND SOCIAL CARE ACT 2001

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Pharmaceutical Services

Chapter 1: Local Pharmaceutical Services

Corresponding provision, etc.

Schedule 3: Local Pharmaceutical Services

197. *Schedule 3* sets out the new Schedule 8A which is inserted into the 1977 Act by *section 40*. The Schedule makes provision for Health Authorities to make arrangements for Local Pharmaceutical Services schemes on a substantive (rather than a pilot basis).
198. *Paragraph 1* makes provision for Local Pharmaceutical Services schemes, equivalent to those in *section 28* for pilot schemes.
199. *Paragraph 2* allows regulations to be made permitting Health Authorities to designate locations in which they may give priority to Local Pharmaceutical Services. The provision is equivalent to that in *section 30* for pilot schemes.
200. *Paragraph 3* provides for the Secretary of State or National Assembly for Wales to make regulations about Local Pharmaceutical Services. Paragraph 3(2) requires that those regulations must include provision for participants in schemes (other than Health Authorities) to withdraw if they wish. Regulations may also impose conditions to be satisfied by people providing Local Pharmaceutical Services. By virtue of paragraph 3(3), regulations may make provision about other matters, including in particular the items specified in sub-paragraphs (a) – (k). Sub-paragraphs (i) and (j) provide for regulations to make arrangements similar to those provided for in respect of pilot schemes by *section 33* (NHS contracts). Sub-paragraph (k) provides for regulations to make provision for payments by Health Authorities of financial assistance in respect of preparatory work, and is similar in effect to *section 34* for pilot schemes.