



# Health and Social Care Act 2001

## 2001 CHAPTER 15

### PART 2

#### PHARMACEUTICAL SERVICES

#### CHAPTER 1

##### LOCAL PHARMACEUTICAL SERVICES

##### *NHS contracts and financial provisions*

### **33 NHS contracts**

- (1) In the case of a pilot scheme entered into, or to be entered into, by a single individual or body corporate, that individual or body may make an application under this section to become a health service body.
- (2) In the case of any other pilot scheme, all of those providing, or proposing to provide, piloted services under the scheme may together make an application under this section to become a single health service body.
- (3) An application must—
  - (a) be made to the relevant authority in accordance with such provisions as may be made by regulations; and
  - (b) specify the pilot scheme in relation to which it is made.
- (4) Except in such cases as may be prescribed by regulations, the relevant authority may grant an application.
- (5) If an application is granted, the relevant authority must specify a date in relation to that application and, as from that date—
  - (a) in the case of an application under subsection (1), the applicant is, and
  - (b) in the case of an application under subsection (2), the applicants together are,

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*Status: Point in time view as at 11/05/2001. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2001, Section 33. (See end of Document for details)*

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a health service body for the purposes of section 4 of the 1990 Act (NHS contracts).

- (6) That section has effect in relation to such a health service body (“a PHS body”), acting as acquirer, as if the functions referred to in subsection (1) of that section were the provision of piloted services.
- (7) Except in such circumstances as may be prescribed by regulations, a PHS body resulting from an application under subsection (2) is to be treated, at any time, as consisting of those who are providing piloted services under the scheme.
- (8) A direction as to payment made under section 4(7) of the 1990 Act against, or in favour of, a PHS body is enforceable in a county court (if the court so orders) as if it were a judgment or order of that court.
- (9) Regulations may provide for a PHS body to cease to be a PHS body in prescribed circumstances.
- (10) The relevant authority must—
  - (a) maintain and publish a list of PHS bodies;
  - (b) publish a revised copy of the list as soon as is reasonably practicable after any change is made to it.
- (11) The list is to be published in such manner as the relevant authority considers appropriate.

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**Commencement Information**

- II** S. 33 wholly in force at 1.7.2002; s. 33 in force for certain purposes at 11.5.2001, see s. 70(2); s. 33 in force for E. at 8.3.2002 by [S.I. 2002/1095](#), [art. 2\(4\)](#) (with transitional provisions in [arts. 3, 4](#)) (as amended (26.3.2002) by [S.I. 2002/1170](#), [art. 3](#)); s. 33 in force for W. at 1.7.2002 by [S.I. 2002/1475](#), [art. 2\(1\)](#), [Sch. Pt. 1](#)

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