



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,

Status: This is the original version (as it was originally enacted).

- 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.