



Health and Social Care Act 2001

2001 CHAPTER 15

PART 2

PHARMACEUTICAL SERVICES

CHAPTER 2

CHANGES TO EXISTING ARRANGEMENTS

England and Wales

43 Remote provision of pharmaceutical, etc. services

- (1) In section 41A of the 1977 Act (additional pharmaceutical services)—
- (a) in subsection (1)(a), for “in their area” there shall be substituted “within or outside their area”;
 - (b) after subsection (1) there shall be inserted—

“(1A) Directions under this section may require or authorise a Health Authority to arrange for the provision of a service by means such that the person receiving it does so otherwise than at the premises from which it is provided (whether those premises are inside or outside the area of the Health Authority).”
- (2) In section 42 of that Act (regulations as to pharmaceutical services), in subsection (1), for the words from “enable persons” to the end of the subsection there shall be substituted—
- “(a) enable persons for whom drugs, medicines or appliances mentioned in that section are ordered as there mentioned to receive them from persons with whom such arrangements have been made; and
 - (b) ensure the provision of services prescribed under subsection (1)(e) of that section by persons with whom such arrangements have been made.”

Status: This is the original version (as it was originally enacted).

- (3) In subsection (2)(c) of that section, after “prescribed cases” there shall be inserted “(which may, in particular, include cases of applications for the provision only of services falling within subsection (3A) below)”.
- (4) After subsection (3) of that section there shall be inserted—
- “(3A) A service falls within this subsection if the means of providing it is such that the person receiving it does so otherwise than at the premises from which it is provided.
- (3B) The regulations may, in respect of services falling within subsection (3A) above, include provision—
- (a) requiring persons to be approved for the purposes of providing such services, by the Secretary of State or such other person as may be specified in the regulations, in accordance with criteria to be specified in or determined under the regulations (whether by the Secretary of State or by another person so specified);
- (b) requiring the Health Authority to make the grant of an application subject to prescribed conditions.”
- (5) In section 43(2A) of the 1977 Act (list of medical practitioners providing drugs, etc.) for “in the Authority’s area” there shall be substituted “under arrangements with the Authority”.
- (6) In section 44(1) of the 1977 Act (local representative committees), in paragraph (d), after “pharmaceutical services” there shall be inserted “from premises”.