



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 7

#### PHARMACEUTICAL SERVICES AND LOCAL PHARMACEUTICAL SERVICES

#### CHAPTER 7

#### MISCELLANEOUS

#### *Local Pharmaceutical Committees*

#### **167 Local Pharmaceutical Committees**

- (1) [<sup>F1</sup>[<sup>F2</sup>NHS England] may recognise a committee formed for an area] which it is satisfied is representative of—
- the persons providing pharmaceutical services from premises in the area for which the committee is formed (“pharmaceutical services providers”),
  - pharmaceutical services providers and the persons to whom subsections (2) and (3) apply,
  - pharmaceutical services providers and the persons to whom subsection (2) applies, or
  - pharmaceutical services providers and the persons to whom subsection (3) applies.
- (2) This subsection applies to each person who—
- is providing local pharmaceutical services <sup>F3</sup>... under an LPS scheme made (whether with himself or another person) by [<sup>F2</sup>NHS England], and
  - has notified [<sup>F2</sup>NHS England] that he wishes to be represented by the committee (and has not notified it that he wishes to cease to be so represented).
- (3) This subsection applies to each person who—

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*Changes to legislation: National Health Service Act 2006, Cross Heading: Local Pharmaceutical Committees is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (a) is providing local pharmaceutical services <sup>F4</sup>... under a pilot scheme made (whether with himself or another person) by [<sup>F2</sup>NHS England], and
  - (b) has notified [<sup>F2</sup>NHS England] that he wishes to be represented by the committee (and has not notified it that he wishes to cease to be so represented).
- (4) A committee recognised under this section is called the Local Pharmaceutical Committee for the area for which it is formed.
- (5) Any such committee may delegate any of its functions, with or without restrictions or conditions, to sub-committees composed of members of that committee.
- (6) Regulations may require [<sup>F2</sup>NHS England], in the exercise of functions relating to pharmaceutical services or local pharmaceutical services, to consult committees recognised by it under this section on such occasions and to such extent as may be prescribed.
- (7) Subsection (6) does not affect any other power to require [<sup>F2</sup>NHS England] to consult committees recognised by it under this section.
- (8) A committee recognised under this section has such other functions as may be prescribed.
- (9) [<sup>F2</sup>NHS England] may, on the request of any committee recognised by it under this section, allot to that committee such sums for defraying the committee's administrative expenses (other than any determined under subsection (12)) as may be determined by [<sup>F2</sup>NHS England].
- (10) Any sums so allotted must be out of the moneys available to [<sup>F2</sup>NHS England] for the remuneration of persons of whom the committee is representative under subsection (1) (a).
- (11) The amount of any such sums must be deducted from the remuneration of those persons in such manner as may be determined by [<sup>F2</sup>NHS England].
- (12) A committee recognised under subsection (1)(b), (c) or (d) must, in respect of each year, determine the amount of its administrative expenses for that year attributable to the persons of whom it is representative under subsection (2) or (3).
- (13) The committee must apportion the amount determined under subsection (12) among the persons of whom it is representative under subsection (2) or (3), and each such person must pay in accordance with the committee's directions the amount so apportioned to him.
- (14) The administrative expenses of a committee include the travelling and subsistence allowances payable to its members.

#### Textual Amendments

- F1** Words in s. 167(1) substituted (1.4.2013) by [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 4 para. 91\(2\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F2** Words in Act substituted (1.7.2022) by [Health and Care Act 2022 \(c. 31\)](#), s. 186(6), [Sch. 1 para. 1\(1\)\(2\)](#); S.I. 2022/734, reg. 2(a), [Sch.](#) (with regs. 13, 29, 30)
- F3** Words in s. 167(2)(a) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 4 para. 91\(3\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

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- F4** Words in s. 167(3)(a) omitted (1.4.2013) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 4 para. 91\(3\)](#); S.I. 2013/160, art. 2(2) (with arts. 7-9)

**Changes to legislation:**

National Health Service Act 2006, Cross Heading: Local Pharmaceutical Committees is up to date with all changes known to be in force on or before 17 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3B(1)(aa) inserted by [2022 c. 31 Sch. 3 para. 2\(b\)](#)
- s. 3B(1)(za) inserted by [2022 c. 31 Sch. 3 para. 2\(a\)](#)
- s. 13G(4) words omitted by virtue of 2012 c. 7, Sch. 14 para. 4A (as inserted) by [2014 c. 23 s. 120\(18\)\(a\)](#)
- s. 35(3A)(3B) inserted by [2012 c. 7 s. 159\(4\)](#)
- s. 35(3A) words substituted by [2022 c. 31 Sch. 5 para. 12\(4\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 35(3A) by 2012 c. 7 s.159(4) not yet in force.)
- s. 40(4)-(4B) substituted for s. 40(4) by [2012 c. 7 Sch. 14 para. 5](#)
- s. 42(1A) inserted by [2012 c. 7 Sch. 14 para. 6](#)
- s. 65F(2A)-(2F) inserted by [2012 c. 7 Sch. 14 para. 15\(4\)](#) (This amendment is itself amended before it comes into force by 2014 c. 23, ss. 85(15), 120(18)(b)(c), 127(1); S.I. 2014/1714, art. 3(2)(b)(c))
- s. 65H(10A) inserted by [2012 c. 7 Sch. 14 para. 17\(4\)](#)
- s. 65H(10A) omitted by [2022 c. 31 Sch. 8 para. 7\(7\)](#) (This amendment not applied to legislation.gov.uk. 2012 c. 7 Sch. 14 revoked at 1.7.2022 by 2022 c. 31, s. 186(6), Sch. 7 para. 13 before the insertion of s. 65H(10A) could come into effect.)
- s. 82A-83A and cross-heading substituted for s. 83 and cross-heading by [2022 c. 31 Sch. 3 para. 3](#)
- s. 84(4)-(4B) substituted for s. 84(4) by [2022 c. 31 Sch. 3 para. 4\(4\)](#)
- s. 92(5A) inserted by [2022 c. 31 Sch. 3 para. 9\(4\)](#)
- s. 94(3)(ca)(cb) substituted for s. 94(3)(ca) by [2022 c. 31 Sch. 3 para. 11\(3\)](#)
- s. 98A98B substituted for s. 98A by [2022 c. 31 Sch. 3 para. 14](#)
- s. 98BC-99B and cross-heading substituted for s. 99 and cross-heading by [2022 c. 31 Sch. 3 para. 15](#)
- s. 100(3A)(3B) inserted by [2022 c. 31 Sch. 3 para. 16\(4\)](#)
- s. 109(3)(ca)(cb) substituted for s. 109(3)(ca) by [2022 c. 31 Sch. 3 para. 23\(3\)](#)
- s. 112(1)(za) inserted by [2022 c. 31 Sch. 3 para. 24\(2\)\(b\)](#)
- s. 114A114B substituted for s. 114A by [2022 c. 31 Sch. 3 para. 26](#)
- s. 114C and cross-heading inserted by [2022 c. 31 Sch. 3 para. 27](#)
- s. 116A116B and cross-heading inserted by [2022 c. 31 Sch. 3 para. 30](#)
- s. 117(4)(4A) substituted for s. 117(4) by [2022 c. 31 Sch. 3 para. 31\(4\)](#)
- s. 125A125B substituted for s. 125A by [2022 c. 31 Sch. 3 para. 39](#)
- s. 223C(1)(c)(d) inserted by [2022 c. 31 s. 28](#)
- s. 223LA inserted by [2022 c. 31 s. 30\(3\)](#)
- Sch. 15 para. 4(1)(b) and word omitted by [2012 c. 7 Sch. 14 para. 39\(3\)](#)