

SCHEDULE 4

Terms of service of NHS pharmacists

PART 2

Essential services

[^{F1}Supply in accordance with a PTP [^{F2}or a PTPGD]

5B.—(1) Subject to the following provisions of this Part, where—

- (a) an NHS Pharmacist (P) receives, via a secure service approved by the NHSCB for this purpose, an electronic message that amounts to an order for the supply of a drug in accordance with a PTP [^{F3}or a PTPGD] ; and
- (b) a person who is entitled to be supplied with that drug in pursuance of that order requests the provision of the drug in accordance with that order,

P must, with reasonable promptness, provide the drug so ordered.

[
^{F4}(1A) Where P considers—

- (a) on the basis of a request for the supply of a drug in accordance with a PTP or a PTPGD that has been approved by the NHSCB as a basis for supply as part of pharmaceutical services;
- (b) having made the appropriate checks; and
- (c) having regard to what is reasonable and appropriate,

that a person is entitled to be supplied with the drug in accordance with the PTP or PTPGD as part of pharmaceutical services, P must, with reasonable promptness, provide the drug requested.]

(2) If a person who is entitled as mentioned in sub-paragraph (1)(b) [^{F5}or (1A)] asks P to do so—

- (a) P must give an estimate of the time when the drug will be ready; and
- (b) if they are not ready by then, P must give a revised estimate of the time when they will be ready (until they are ready).

[
^{F6}(3) Sub-paragraph (1) does not apply where arrangements are in place for the provision of the drug (whether by P or otherwise) ordered pursuant to the PTP or PTPGD as part of a directed service which includes arrangements for the provision of such a drug ordered in accordance with such a PTP or PTPGD.

(4) Sub-paragraph (1A) does not apply where arrangements are in place for the provision of the drug (whether by P or otherwise) requested in accordance with the PTP or PTPGD as part of a directed service which includes arrangements for the provision of such a drug requested in accordance with such a PTP or PTPGD.]]

Textual Amendments

- F1** Sch. 4 para. 5B inserted (9.11.2020) by [The National Health Service \(Charges and Pharmaceutical and Local Pharmaceutical Services\) \(Amendment\) Regulations 2020 \(S.I. 2020/1126\)](#), regs. 1(2), **6**
- F2** Words in Sch. 4 para. 5B heading inserted (1.3.2021) by [The National Health Service \(Charges and Pharmaceutical and Local Pharmaceutical Services\) \(Coronavirus\) \(Amendment\) Regulations 2021 \(S.I. 2021/169\)](#), regs. 1(2), **3(2)(c)**

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- F3** Words in Sch. 4 para. 5B(1)(a) inserted (1.3.2021) by The National Health Service (Charges and Pharmaceutical and Local Pharmaceutical Services) (Coronavirus) (Amendment) Regulations 2021 (S.I. 2021/169), regs. 1(2), **3(2)(a)**
- F4** Sch. 4 para. 5B(1A) inserted (1.3.2021) by The National Health Service (Charges and Pharmaceutical and Local Pharmaceutical Services) (Coronavirus) (Amendment) Regulations 2021 (S.I. 2021/169), regs. 1(2), **3(2)(b)**
- F5** Words in Sch. 4 para. 5B(2) inserted (1.3.2021) by The National Health Service (Charges and Pharmaceutical and Local Pharmaceutical Services) (Coronavirus) (Amendment) Regulations 2021 (S.I. 2021/169), regs. 1(2), **3(2)(c)**
- F6** Sch. 4 para. 5B(3)(4) inserted (21.12.2021) by The National Health Service (Charges, Primary Medical Services and Pharmaceutical and Local Pharmaceutical Services) (Coronavirus) (Further Amendments) Regulations 2021 (S.I. 2021/1346), regs. 1(2)(a), **7(2)**

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

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)