

---

STATUTORY INSTRUMENTS

---

**2016 No. 1077**

**The National Health Service (Pharmaceutical Services,  
Charges and Prescribing) (Amendment) Regulations 2016**

**PART 4**

Amendments relating to emergency supplies of drugs

**Amendment of paragraph 28 of Schedule 4 to the principal Regulations**

**25.** In Schedule 4 to the principal Regulations (terms of service of NHS pharmacists), in paragraph 28(1) (clinical governance), in sub-paragraph (2)(a)(ii), after “advanced services” insert “, other than an advanced service in respect of the supply of drugs in accordance with regulation 225 of the Human Medicines Regulations 2012(2) (emergency sale etc by pharmacist: at patient’s request),”.

**Amendment of regulation 3 of the National Health Service (Charges for Drugs and Appliances) Regulations 2015**

**26.** In regulation 3 of the National Health Service (Charges for Drugs and Appliances) Regulations 2015(3) (supply of drugs and appliances by chemists)—

(a) in paragraph (3)—

(i) omit “either”,

(ii) omit “or” at the end of sub-paragraph (a),

(iii) insert “; or” at the end of sub-paragraph (b), and

(iv) after sub-paragraph (b) insert the following sub-paragraph—

“(c) where the person has been supplied with a drug—

(i) in accordance with regulation 225 of the Human Medicines Regulations 2012(4) (emergency sale etc by pharmacist: at patient’s request), and

(ii) pursuant to arrangements made in accordance with directions given by the Secretary of State under section 127 of the 2006 Act(5) (arrangements for additional pharmaceutical services) or, if the drug is supplied under arrangements for the provision of local pharmaceutical services, equivalent arrangements to arrangements made in accordance with such directions,

---

(1) Amended by [S.I. 2015/58](#).

(2) [S.I. 2012/1916](#); regulation 225 has been amended by [S.I. 2014/490](#).

(3) [S.I. 2015/570](#); regulation 2 has been amended by [S.I. 2015/1879](#) and [2016/325](#).

(4) [S.I. 2012/1916](#); regulation 225 has been amended by [S.I. 2014/490](#).

(5) Section 127 has been amended by the Health and Social Care Act 2012 (c. 7), Schedule 4, paragraph 64.

provide a declaration that the relevant charge has been paid on an approved form provided by the Board for recording patient declarations in respect of supplies in accordance with regulation 225 of the Human Medicines Regulations 2012 and issued by a chemist.”;

(b) in paragraph (5)(a)—

(i) omit “or” at the end of paragraph (iii), and

(ii) after paragraph (iii) insert the following paragraph—

“(iia) in cases involving the supply of a drug—

(aa) in accordance with regulation 225 of the Human Medicines Regulations 2012, and

(bb) pursuant to arrangements made in accordance with directions given by the Secretary of State under section 127 of the 2006 Act or, if the drug is supplied under arrangements for the provision of local pharmaceutical services, equivalent arrangements to arrangements made in accordance with such directions,

on an approved form provided by the Board for recording patient declarations in respect of supplies in accordance with regulation 225 of the Human Medicines Regulations 2012 and issued by a chemist, or”;

(c) in paragraph 5(b)—

(i) omit “or” at the end of paragraph (iii), and

(ii) after paragraph (iii) insert the following paragraph—

“(iia) in cases involving the supply of a drug—

(aa) in accordance with regulation 225 of the Human Medicines Regulations 2012, and

(bb) pursuant to arrangements made in accordance with directions given by the Secretary of State under section 127 of the 2006 Act or, if the drug is supplied under arrangements for the provision of local pharmaceutical services, equivalent arrangements to arrangements made in accordance with such directions,

on an approved form provided by the Board for recording patient declarations in respect of supplies in accordance with regulation 225 of the Human Medicines Regulations 2012 and issued by a chemist, or”.