
STATUTORY INSTRUMENTS

1997 No. 1177

**The Health Services (Primary Care)
(Northern Ireland) Order 1997**

PART III

PRIMARY CARE

Pharmaceutical services

Provision of additional pharmaceutical services

27. In the 1972 Order, after Article 63, insert—

“Arrangements for providing additional pharmaceutical services

63A.—(1) The Department may—

- (a) give directions to a Health and Social Services Board requiring it to arrange for the provision to persons in its area of additional pharmaceutical services; or
- (b) by giving directions to a Health and Social Services Board authorise it to arrange for such provision if it wishes to do so.

(2) Directions under this Article may make different provision in relation to different services specified in the directions.

(3) The Department must publish any directions under this Article in the Drug Tariff or in such other manner as it thinks appropriate.

(4) In this Article—

“additional pharmaceutical services”, in relation to directions, means such services (of a kind that do not fall within Article 63) as may be specified in the directions; and
“Drug Tariff” means the Drug Tariff published under regulation 40 of the Health and Personal Social Services (General Medical and Pharmaceutical Services) Regulations (Northern Ireland) 1973 or under any corresponding provision replacing, or otherwise derived from, that regulation.”.

Terms and conditions etc.

28. In the 1972 Order, after Article 63A, insert—

“Terms and conditions etc.

63B.—(1) Directions under Article 63A may require the Health and Social Services Board to which they apply, when making arrangements—

- (a) to include, in the terms on which the arrangements are made, such terms as may be specified in the directions;
 - (b) to impose, on any person providing a service in accordance with the arrangements, such conditions as may be so specified.
- (2) The arrangements must secure that any service to which they apply is provided only by a person whose name is included in a pharmaceutical list.
- (3) Different arrangements may be made with respect to—
- (a) the provision of the same service by the same person but in different circumstances; or
 - (b) the provision of the same service by different persons.
- (4) A Health and Social Services Board must provide details of proposed arrangements (including the remuneration to be offered for the provision of services) to any person who asks for them.
- (5) After making any arrangements, a Health and Social Services Board must publish, in such manner as the Department may direct, such details of the arrangements as the Department may direct.
- (6) In this Article, “pharmaceutical list” means, subject to any provision of the directions in question, a list—
- (a) published by the Health and Social Services Board concerned, or by any other Health and Social Services Board, in accordance with regulations made under Article 63(2A)(a); or
 - (b) published by any body in accordance with regulations made under section 27(2)(a) of the National Health Service (Scotland) Act 1978 or section 42(2)(a) of the National Health Service Act 1977.”.

Authorised provision of pharmaceutical services by medical practitioners

29. In Article 64 of the 1972 Order, after paragraph (1) insert—

“(1A) Regulations shall provide for the preparation and publication by a Health and Social Services Board of one or more lists of medical practitioners who are required or agree to provide drugs, medicines or listed appliances in the Board’s area.

(1B) In paragraph (1A) “listed” has the same meaning as in Article 63.

(1C) The regulations shall include provision for the removal of an entry from a list in prescribed circumstances.”.