



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

PART II

PRIMARY CARE

NHS contracts

31 Provision of certain services under NHS contracts

- (1) In the National Health Service and Community Care Act 1990, after section 4 (NHS contracts), insert—

“4A Provision of certain services under NHS contracts

- (1) This section applies to any arrangement under which a Health Authority or such other health service body as may be prescribed arrange for the provision to them—
- (a) by a person on an ophthalmic list, or
 - (b) by a person on a pharmaceutical list,
- of goods or services that they reasonably require for the purposes of functions which they are exercising under Part I of the principal Act.
- (2) Any such arrangement is to be treated as an NHS contract for the purposes of section 4 (other than subsections (4) and (6)).
- (3) In this section—
- “health service body” means a body which is a health service body for the purposes of section 4;
 - “ophthalmic list” means a list published in accordance with regulations made under—

Status: This is the original version (as it was originally enacted).

- (a) section 39(a) of the principal Act;
 - (b) section 26(2)(a) of the National Health Service (Scotland) Act 1978; or
 - (c) Article 62(2)(a) of the Health and Personal Social Services (Northern Ireland) Order 1972; and
- “pharmaceutical list” means a list published in accordance with regulations made under—
- (a) section 42(2)(a) of the principal Act;
 - (b) section 27(2) of the National Health Service (Scotland) Act 1978; or
 - (c) Article 63(2A)(a) of the 1972 Order.”

(2) In the 1978 Act, after section 17, insert—

“NHS contracts

17AA Provision of certain services under NHS contracts

- (1) This section applies to any arrangement under which a Health Board or such other health service body as may be prescribed arrange for the provision to them—
- (a) by a person on an ophthalmic list, or
 - (b) by a person on a pharmaceutical list,
- of goods or services that they reasonably require for the purposes of functions which they are exercising under Part I of this Act.
- (2) Any such arrangement is to be treated as an NHS contract for the purposes of section 17A (other than subsections (5) and (7)).
- (3) In this section—
- “health service body” means a person or body which is a health service body for the purposes of section 17A;
- “ophthalmic list” means a list published in accordance with regulations made under—
- (a) section 26(2)(a) of this Act;
 - (b) section 39(a) of the National Health Service Act 1977; or
 - (c) Article 62(2)(a) of the Health and Personal Social Services (Northern Ireland) Order 1972; and
- “pharmaceutical list” means a list published in accordance with regulations made under—
- (a) section 27(2) of this Act;
 - (b) section 42(2)(a) of the National Health Service Act 1977; or
 - (c) Article 63(2A)(a) of the 1972 Order.”