
Changes to legislation: National Health Service (Wales) Act 2006, SCHEDULE 7 is up to date with all changes known to be in force on or before 01 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

SCHEDULES

SCHEDULE 7

Section 102

LPS SCHEMES

Provision of local pharmaceutical services

- 1 (1) Local Health Boards may establish LPS schemes.
- (2) In this Act, an “LPS scheme” means one or more agreements—
 - (a) made by a Local Health Board in accordance with this Schedule,
 - (b) under which local pharmaceutical services will be provided (otherwise than by the Local Health Board), and
 - (c) the parties to which do not include any other Local Health Board.
- (3) An LPS scheme may include arrangements—
 - (a) for the provision of services which are not local pharmaceutical services, but which may be provided under this Act, other than under Part 6 or Chapter 1 of this Part, and whether or not of the kind usually provided by pharmacies,
 - (b) for the provision of training and education (including training and education for persons who are, or may become, involved in the provision of local pharmaceutical services).
- (4) An LPS scheme may not combine arrangements for the provision of local pharmaceutical services with arrangements for the provision of primary medical services or primary dental services.
- (5) In determining the arrangements it needs to make in order to comply with section 80, a Local Health Board may take into account arrangements under an LPS scheme made by it.
- (6) The functions of an NHS trust and an NHS foundation trust include power to provide any services to which an LPS scheme applies.
- (7) In this Schedule—

”local pharmaceutical services” means such services of a kind which may be provided under section 80, or by virtue of section 81 (other than practitioner dispensing services) as may be prescribed for the purposes of this Schedule, and

”LP services” means services provided under an LPS scheme (including any services to which the scheme applies as a result of sub-paragraph (3)).
- (8) “Practitioner dispensing services” means the provision of drugs, medicines or listed appliances (within the meaning of section 80) by a medical practitioner or dental practitioner to a patient of his pursuant to arrangements made by virtue of section 86(1).

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Designation of priority neighbourhoods or premises

- 2 (1) The Welsh Ministers may make regulations allowing a Local Health Board to designate—
- (a) neighbourhoods,
 - (b) premises, or
 - (c) descriptions of premises,
- for the purposes of this paragraph.
- (2) The regulations may, in particular, make provision—
- (a) as to the circumstances in which, and the neighbourhoods or premises in relation to which, designations may be made or maintained,
 - (b) allowing a Local Health Board to defer consideration of pharmaceutical list applications relating to neighbourhoods, premises or descriptions of premises that have been designated,
 - (c) allowing a designation to be cancelled in prescribed circumstances,
 - (d) requiring a designation to be cancelled—
 - (i) if the Welsh Ministers give a direction to that effect, or
 - (ii) in prescribed circumstances.
- (3) “Pharmaceutical list applications” means applications for inclusion in a pharmaceutical list.

Regulations

- 3 (1) The Welsh Ministers may make regulations with respect to LP services.
- (2) The regulations must include provision for participants other than Local Health Boards to withdraw from an LPS scheme if they wish to do so.
- (3) The regulations may, in particular—
- (a) provide that an LPS scheme may be made only—
 - (i) in prescribed circumstances,
 - (ii) in relation to an area, a community or a category of persons determined in accordance with the regulations, or
 - (iii) in relation to premises determined in accordance with the regulations,
 - (b) provide that only prescribed services, or prescribed categories of service, may be provided in accordance with an LPS scheme,
 - (c) make provision as to the services, or categories of service, for which an LPS scheme must provide,
 - (d) impose conditions (including conditions as to qualifications and experience) to be satisfied by persons providing LP services,
 - (e) require details of each LPS scheme to be published,
 - (f) make provision with respect to the variation and termination of an LPS scheme,
 - (g) prevent (except in such circumstances and to such extent as may be prescribed) the provision of both LP services and pharmaceutical services from the same premises,
 - (h) make provision with respect to the inclusion, removal, re-inclusion or modification of an entry in respect of premises in a pharmaceutical list,

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- (i) provide for parties to an LPS scheme to be treated, in such circumstances and to such extent as may be prescribed, as health service bodies for the purposes of section 7,
- (j) provide for directions, as to payments, made under section 7(11) (as it has effect as a result of regulations made by virtue of paragraph (i)) to be enforceable in [^{F1}the county court] (if the court so orders) as if they were judgments or orders of that court,
- (k) authorise Local Health Boards to make payments of financial assistance for prescribed categories of preparatory work undertaken—
 - (i) in connection with preparing proposals for an LPS scheme, or
 - (ii) in preparation for the provision of services under a proposed LPS scheme.

Textual Amendments

F1 Words in Sch. 7 para. 3(3)(j) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52; S.I. 2014/954, art. 2\(c\)](#) (with art. 3)

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Changes and effects yet to be applied to :

- Sch. 7 para. 1(2)(c) word omitted by [2009 c. 21 s. 32\(2\)\(c\)](#)
- Sch. 7 para. 1(2)(c) repealed by [2009 c. 21 s. 32\(2\)\(c\)](#)[Sch. 6](#)
- Sch. 7 para. 1(2)(a) words inserted by [2009 c. 21 s. 32\(2\)\(a\)](#)
- Sch. 7 para. 1(2)(b) words substituted by [2009 c. 21 s. 32\(2\)\(b\)](#)
- Sch. 7 para. 1(6) words substituted by [2009 c. 21 s. 32\(4\)](#)
- Sch. 7 para. 3(2) words substituted by [2009 c. 21 s. 32\(5\)](#)

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. 201A-201C inserted by [2017 c. 23 s. 9](#)
- s. 201C(2) words substituted by [2018 c. 12 Sch. 19 para. 118\(2\)](#)
- s. 201C(4) inserted by [2018 c. 12 Sch. 19 para. 118\(3\)](#)
- Sch. 7 para. 1(2A) inserted by [2009 c. 21 s. 32\(3\)](#)