
STATUTORY INSTRUMENTS

2005 No. 641

**The National Health Service
(Pharmaceutical Services) Regulations 2005**

PART 4

Payments to chemists

Standards of, and payments for, drugs and appliances

56.—(1) For the purpose of enabling arrangements to be made for the provision of pharmaceutical services, the Secretary of State shall compile and publish a statement (in these Regulations referred to as “the Drug Tariff”) which he may amend from time to time and which, subject to paragraph (2), shall include—

- (a) the list of appliances for the time being approved by the Secretary of State for the purposes of section 41 (arrangements for pharmaceutical services) of the Act and, in the case of a restricted availability appliance, the categories of persons for whom or purposes for which the appliance is approved;
- (b) the list of chemical reagents for the time being approved by the Secretary of State for the purposes of section 41 of the Act;
- (c) the list of drugs for the time being approved by the Secretary of State for the purposes of section 41 of the Act;
- (d) the prices on the basis of which the payment for drugs and appliances ordinarily supplied is to be calculated;
- (e) the method of calculating the payment for drugs not mentioned in the Drug Tariff;
- (f) the method of calculating the payment for containers and medicine measures;
- (g) the dispensing or other fees or allowances payable in respect of the provision of pharmaceutical services;
- (h) the dispensing or other fees or allowances payable in respect of the temporary provision of pharmaceutical services under regulation 54;
- (i) arrangements for claiming fees, allowances and other remuneration for the provision of pharmaceutical services; and
- (j) the method by which a claim may be made for compensation for financial loss in respect of oxygen equipment specified in the Drug Tariff.

(2) The Drug Tariff may state in respect of any specified fee or allowance falling within paragraph (1)(g) or (h), or any other specified fee, allowance or other remuneration in respect of the provision of pharmaceutical services by chemists included in the pharmaceutical list of a Primary Care Trust, that the determining authority for that fee, allowance or other remuneration for those chemists is the Primary Care Trust, and in such a case paragraphs (5) and (6) shall apply.

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(3) The prices referred to in paragraph (1)(d) may be fixed prices or may be subjected to monthly or other periodical variations to be determined by reference to fluctuations in the cost of drugs and appliances.

(4) A chemist shall supply, in response to a request from the Secretary of State, within 30 days of the notification of the request, any information which the Secretary of State may require for the purpose of conducting any inquiry into the prices, payments, fees, allowances and remuneration specified in paragraph (1)(d) to (i).

(5) The Primary Care Trust shall consult the Local Pharmaceutical Committee before making any determination by virtue of paragraph (2).

(6) A determination made by the Primary Care Trust by virtue of paragraph (2) shall include the arrangements for claiming the specified fees, allowances or other remuneration, and shall be published by the Primary Care Trust in whatever way it thinks suitable for bringing that determination to the attention of the chemists included in its pharmaceutical list.