
STATUTORY INSTRUMENTS

2013 No. 349

**The National Health Service (Pharmaceutical and
Local Pharmaceutical Services) Regulations 2013**

PART 10

Performance related sanctions and market exit

Local dispute resolution before serving remedial notices or breach notices

69.—(1) Subject to paragraph (3), before issuing a notice under regulation 70 or 71, the NHSCB must make every reasonable effort to communicate and co-operate with an NHS chemist (C) with a view to resolving any dispute between C and the NHSCB relating to C's compliance with C's terms of service.

(2) Where an NHS pharmacist invites a Local Pharmaceutical Committee to participate in the attempts to resolve the dispute, the NHSCB must make every reasonable effort to communicate and co-operate with the Committee in its attempts to assist in resolving the dispute.

(3) Paragraphs (1) and (2) do not apply where the NHSCB is satisfied—

- (a) the dispute relates to a matter that has already been the subject of dispute resolution between the NHSCB (or a Primary Care Trust) and C and there are no new issues of substance that justify delay in issuing a notice under regulation 70 or 71; or
- (b) that it is appropriate to proceed immediately to issuing a notice under regulation 70 or 71—
 - (i) because listed chemist premises are not, or have not been, open during core opening hours or supplementary opening hours without good cause,
 - (ii) to protect the safety of any persons to whom C may provide pharmaceutical services,
or
 - (iii) to protect the NHSCB from material financial loss.