



National Health Service (Primary Care) Act 1997

1997 CHAPTER 46

PART II

PRIMARY CARE

Pharmaceutical services

28 Terms and conditions etc.

^{F1}(1)

(2) In the 1978 Act, after section 27A, insert—

“27B Terms and conditions etc.

- (1) Directions under section 27A may require the Health Board to whom 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.

Changes to legislation: National Health Service (Primary Care) Act 1997, Section 28 is up to date with all changes known to be in force on or before 01 May 2023. 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](#)

- (4) A Health 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 Board must publish, in such manner as the Secretary of State may direct, such details of the arrangements as he may direct.
- (6) In this section, “pharmaceutical list” means, subject to any provision of the directions in question, a list—
 - (a) published by the Health Board concerned, or by any other Health Board, in accordance with regulations made under section 27(2) of this Act; or
 - (b) published by any body in accordance with regulations made under section 42(2) of the ^{M1}National Health Service Act 1977 or Article 63(2A)(a) of the ^{M2}Health and Personal Social Services (Northern Ireland) Order 1972.”

Textual Amendments

- F1** S. 28(1) repealed (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), s. 8(2), [Sch. 4](#) (with [Sch. 2 Pt. 1 Sch. 3 Pt. 1](#))

Marginal Citations

- M1** 1977 c. 49.
M2 S.I. 1972/1265 (N.I.14).

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Changes and effects yet to be applied to :

- s. 28(2) repealed by [2005 asp 13 sch. 3](#)