
STATUTORY INSTRUMENTS

1993 No. 2451

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (Pharmaceutical
Services) Amendment Regulations 1993**

<i>Made</i>	- - - -	<i>11th October 1993</i>
<i>Laid before Parliament</i>		<i>11th October 1993</i>
<i>Coming into force</i>	- -	<i>1st November 1993</i>

The Secretary of State, in exercise of powers conferred upon her by sections 41, 42, 43 and 126(4) of the National Health Service Act 1977(1) and all other powers enabling her in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the National Health Service (Pharmaceutical Services) Amendment Regulations 1993 and shall come into force on 1st November 1993.

Amendment of the National Health Service (Pharmaceutical Services) Regulations 1992

2.—(1) The National Health Service (Pharmaceutical Services) Regulations 1992(2) shall be amended in accordance with the following paragraphs of this regulation.

(2) For regulation 8(2)(b)(i), there shall be substituted the following—

“(i) was given notice of the application under regulation 5(1)(c) or regulation 5(2)(c), and”.

(3) After regulation 16, there shall be inserted the following new regulation—

(1) 1977 c. 49; see sections 128(1), as amended by the National Health Service and Community Care Act 1990 (c. 19) (the 1990 Act), for the definitions of prescribed and regulations. Section 41 was amended by the Health Services Act 1980 (c. 53) (the 1980 Act), section 20(1), Schedule 1, paragraph 53 and Schedule 7, by the 1990 Act, Schedule 9, paragraph 18(1) and Schedule 10, and by S.I.1985/39, article 7(13); section 42 was substituted by the National Health Service (Amendment) Act 1986 (c. 66), section 3(1) and amended by S.I. 1987/2202, article 4, and by the 1990 Act, section 12(3); section 43 was amended by the 1980 Act, section 21(2) and Schedule 1, paragraph 55, by S.I. 1985/39, article 7(15), and by the 1990 Act, Schedule 9, paragraph 18(2); section 126(4) was amended by the 1990 Act, section 65(2).

(2) S.I.1992/662.

“Additional professional services

16A.—(1) A chemist may, in addition, undertake to provide additional professional services.

(2) In these Regulations, “additional professional services” means—

(a) publishing a leaflet (practice leaflet) which shall include—

(i) a list of the pharmaceutical services which the chemist has undertaken to provide and in respect of which his name is included in a pharmaceutical list of the FHSA,

(ii) the name, address and telephone number of the pharmacy from which he provides those services and the hours in each day of the week during which he provides those services from those premises,

(iii) the arrangements made by the chemist to provide, or such arrangements as the chemist has made with other chemists to provide, pharmaceutical services to any person who needs those services in an emergency or outside of the normal hours during which the chemist provides pharmaceutical services,

(iv) the procedure by which any person may comment upon the provision of pharmaceutical services undertaken by the chemist;

(b) displaying such health promotion leaflets, posters and publications as the FHSA may, in consultation with the Local Pharmaceutical Committee, approve.”.

(4) In regulation 18(1)(g) (standards of, and payments for, drugs and appliances), after the word “services” there shall be inserted the words “and additional professional services”.

(5) In paragraph 3 of Schedule 2 (provision of pharmaceutical services), in sub-paragraph (9)(b), for the words “Schedule 1” there shall be substituted the words “Schedule 4 or 5”.

(6) In paragraph 4 of Schedule 2 (premises and hours), in sub-paragraph (13)(b), the words “to be provided by the FHSA in the form prescribed in Part IV of Schedule 3” shall be omitted.

(7) In paragraph 8 of Schedule 2 (remuneration of chemists)—

(a) after sub-paragraph (1), there shall be inserted the following new sub-paragraph—

“(1A) A chemist who has undertaken to provide additional professional services within the meaning of regulation 16A shall, on request, permit the FHSA or another person on its behalf at any reasonable time to inspect the premises from which those services are provided for the purpose of satisfying itself that those services are being provided in accordance with the undertaking.”;

(b) after sub-paragraph (2), there shall be inserted the following new sub-paragraph—

“(2A) The FHSA shall make such payments, if any, as are provided for by the Drug Tariff to chemists who provide additional professional services within the meaning of regulation 16A.”.

Virginia Bottomley
One of Her Majesty's Principal Secretaries of
State,
Department of Health

11th October 1993

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Pharmaceutical Services) Regulations 1992, which govern the arrangements to be made by Family Health Services Authorities for the provision in their locality of pharmaceutical services under the National Health Service Act 1977.

The principal change effected by these Regulations is to enable chemists who wish to do so to undertake to provide additional professional services (for which they would receive extra remuneration) consisting of publishing a practice leaflet and displaying health promotion material (regulation 2)(3)). The Regulations also make consequential and other minor amendments.