

SCHEDULE 3

Amendments to secondary legislation

PART 2

Amendments to other secondary legislation

Amendment of the National Health Service Trusts (Membership and Procedure) Regulations 1990

19. In the National Health Service Trusts (Membership and Procedure) Regulations 1990(1), in regulation 1(2) (interpretation), in paragraph (a) of the definition of “health service body”, after “Care Act 2001” insert “or a contractor which is treated as a health service body pursuant to regulation 10 of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006”.

Amendment of the National Health Service Litigation Authority Regulations 1995

20. In the National Health Service Litigation Authority Regulations 1995(2), in regulation 1(2) (interpretation), in the definition of “health service body”, after “Care Act 2001” insert “or a contractor which is treated as a health service body pursuant to regulation 10 of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006”.

Amendment of the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000

21. In the Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000(3)—

- (a) in regulation 1(2) (interpretation), in the definition of “health service body”, after “Care Act 2001” insert “or a contractor which is treated as a health service body pursuant to regulation 10 of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006”; and
- (b) in regulation 5(1)(i) (disqualification for appointment: chairman and non-officer members), after “Care Act 2001” insert “or a contractor which is treated as a health service body pursuant to regulation 10 of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006”.

Amendment of the Charges Regulations

22. In the Charges Regulations(4), in regulation 2 (interpretation), in the definition of “local pharmaceutical services” for sub-paragraph (b) substitute—

- “(b) provided under an LPS scheme as defined in paragraph 1(2) of Schedule 8A to the Act;”.

(1) S.I. 1990/2024; the relevant amending instruments are S.I. 1996/1755, 1998/646, 2000/2434, 2001/3786 and 2002/2469.

(2) S.I. 1995/2801; the relevant amending instruments are S.I. 1998/646, 2000/696 and 2002/2469.

(3) S.I. 2000/89; the relevant amending instruments are S.I. 2001/3787 and 2002/557 and 2469.

(4) The relevant amending instrument is S.I. 2002/2352.

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Amendment of the Health Service Medicines (Control of Prices of Specified Generic Medicines) Regulations 2000

23. In the Health Service Medicines (Control of Prices of Specified Generic Medicines) Regulations 2000(5), in regulation 2(1) (interpretation), in the definition of “supply”, after “Care Act 2001” insert “or under an LPS scheme as defined in paragraph 1(2) of Schedule 8A to the Act”.

Amendment of the Health Service Medicines (Information on the Prices of Specified Generic Medicines) Regulations 2001

24. In the Health Service Medicines (Information on the Prices of Specified Generic Medicines) Regulations 2001(6), in regulation 2(1) (interpretation), in the definition of “supply”, after “Care Act 2001” insert “or under an LPS scheme as defined in paragraph 1(2) of Schedule 8A to the National Health Service Act 1977”.

Amendment of the National Health Service (Local Pharmaceutical Services and Pharmaceutical Services) Regulations 2002

25. In the National Health Service (Local Pharmaceutical Services and Pharmaceutical Services) Regulations 2002(7)—

- (a) in regulation 3(1)(8) (designation of priority neighbourhoods or premises), after “a Primary Care Trust may” insert “until 31st March 2006”;
- (b) omit regulations 7(9) (which relates to requests to Primary Care Trusts for preparation of proposals) and 7A(10) (consultation on proposals); and
- (c) in regulation 8(1)(11) (provision of financial assistance), after “a Primary Care Trust may” insert “until 31st March 2006”.

Amendment of the National Health Service (Local Pharmaceutical Services and Pharmaceutical Services) (No.2) Regulations 2002

26. In regulation 4 of the National Health Service (Local Pharmaceutical Services and Pharmaceutical Services) (No.2) Regulations 2002(12) (right of return to pharmaceutical lists), for paragraph (1) substitute the following paragraph—

“(1) Before the Secretary of State approves a pilot scheme under paragraph 3(1)(a) or (b) of Schedule 2 to the Act, he must determine pursuant to this regulation whether the pilot scheme provider is to be given a right of return, subject to the conditions specified in regulation 10(2) of the principal Regulations, if he makes an application for his name to be included in a Primary Care Trust’s pharmaceutical list after ceasing to provide local pharmaceutical services under the pilot scheme.”.

Amendment of the Delayed Discharges (England) Regulations 2003

27. In the Delayed Discharges (England) Regulations 2003(13), in regulation 2 (interpretation), in paragraph (e) of the definition of “health service body” after “Care Act 2001” insert “or a

(5) [S.I. 2000/1763](#); the relevant amending instrument is [S.I. 2002/2861](#).
(6) [S.I. 2001/3798](#); the relevant amending instrument is [S.I. 2002/2861](#).
(7) [S.I. 2002/888](#).
(8) Amended by [S.I. 2002/2469](#) and [2005/641](#).
(9) Amended by [S.I. 2002/2469](#).
(10) Inserted by [S.I. 2002/2861](#).
(11) Amended by [S.I. 2002/2469](#).
(12) [S.I. 2002/2016](#).
(13) [S.I. 2003/2277](#).

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contractor which is treated as a health service body pursuant to regulation 10 of the National Health Service (Local Pharmaceutical Services etc.) Regulations 2006”.

Amendment of the National Health Service (Complaints) Regulations 2004

28. In the National Health Service (Complaints) Regulations 2004(**14**), in regulation 2(2) (interpretation), in sub-paragraph (h) after “Care Act 2001” insert “or in accordance with an LPS scheme as defined in paragraph 1(2) of Schedule 8A to the 1977 Act”.