

## SCHEDULE 7

Regulation 50

### Minor and consequential amendments

#### **The National Health Service (Service Committees and Tribunal) Regulations 1992**

1. In regulation 2 of the National Health Service (Service Committees and Tribunal) Regulations 1992<sup>(1)</sup> (interpretation)—

- (a) in paragraph (1), in the definition of “chemist”, after the words “has the same meaning as” insert, “NHS appliance contractor and NHS pharmacist”;
- (b) in paragraph (1), in the definition of “Pharmaceutical Regulations”, for the words “National Health Service (Pharmaceutical Services) Regulations 1992” substitute “National Health Service (Pharmaceutical Services) (Wales) Regulations 2013”; and
- (c) in paragraph (4)(c)<sup>(2)</sup>, for the words “paragraphs 10A and 10B of Schedule 2 to the National Health Service (Pharmaceutical Services) Regulations 1992” substitute “paragraph 33 of Schedule 4 to, or paragraph 21 of Schedule 5 to, the Pharmaceutical Regulations”.

#### **Commencement Information**

**I1** Sch. 7 para. 1 in force at 10.5.2013, see [reg. 1\(2\)](#)

#### **The National Health Service (Indicative Amounts) Regulations 1997**

2. In regulation 1(2) of the National Health Service (Indicative Amounts) Regulations 1997 (citation, commencement and interpretation)<sup>(3)</sup>, in the definition of “Drug Tariff”, for the words “regulation 18(e) of the National Health Service (Pharmaceutical Services) Regulations 1992 (provisions relating to determinations)”, substitute “regulation 41 (the Drug Tariff and remuneration of NHS pharmacists and NHS appliance contractors) of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013”.

#### **Commencement Information**

**I2** Sch. 7 para. 2 in force at 10.5.2013, see [reg. 1\(2\)](#)

#### **The National Health Service (Payments by Local Authorities to Health Authorities) (Prescribed Functions) (Wales) Regulations 2001**

3. In regulation 2(2) (prescribed functions of Health Authorities in Wales) of the National Health Service (Payments by Local Authorities to Health Authorities) (Prescribed Functions) (Wales) Regulations 2001<sup>(4)</sup>, for sub-paragraph (d) substitute—

- “(d) the provision of appliances which are not listed in Part IX of the Drug Tariff which is published in accordance with regulation 41 of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 (the Drug Tariff and remuneration of NHS pharmacists and NHS appliance contractors)”.

(1) S.I.1992/664.

(2) Paragraph (4) was inserted by S.I. 1996/703.

(3) S.I. 1997/980, as amended by S.I. 2007/1112 (W.117).

(4) S.I. 2001/1543 (W.108), amended by S.I. 2007/1112 (W.117).

**Status:** Point in time view as at 10/05/2013.

**Changes to legislation:** There are currently no known outstanding effects for the *The National Health Service (Pharmaceutical Services) (Wales) Regulations 2013, SCHEDULE 7.* (See end of Document for details)

#### Commencement Information

**I3** Sch. 7 para. 3 in force at 10.5.2013, see [reg. 1\(2\)](#)

### The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004

**4.—(1)** The National Health Service (General Medical Services Contracts) (Wales) Regulations 2004<sup>(5)</sup> are amended in accordance with this paragraph.

(2) In regulation 2(1) (interpretation)—

- (a) in the definition of “Drug Tariff”, for “regulation 18” substitute “regulation 41”; and
- (b) in the definition of “Pharmaceutical Regulations”, for “National Health Service (Pharmaceutical Services) Regulations 1992” substitute “National Health Service (Pharmaceutical Services) (Wales) Regulations 2013”.

(3) In Schedule 6 (other contractual terms)—

(a) in paragraph 47 (provision of dispensing services)—

- (i) in sub-paragraphs (4)(b) and (9)(a), in each case for “regulation 12(15) or 13(13)(b) of” substitute “paragraph 6 of Schedule 2, paragraph 13 of Schedule 2 or paragraph 8(3) of Schedule 3 to”, and
- (ii) in sub-paragraph (9)(b)(ii), for “regulation 9(10) of” substitute “Part 2 of Schedule 3 to” and for “(determination of whether an area is a controlled locality)” substitute “(appeals against decisions determining controlled localities)”;

(b) in paragraph 48 (consent to dispense)—

(i) in sub-paragraph (2)—

- (aa) for “regulations 12 and 13 of” substitute “regulation 24 of and Part 3 of Schedule 2 to”, and
- (bb) for “regulation 21” substitute “regulation 24”,

(ii) in sub-paragraph (4), for “regulation 12(16)” substitute “regulation 24(9)”,

(iii) for sub-paragraph (5) substitute—

“(5) Regulation 24 of the Pharmaceutical Regulations will apply as if modified as follows: in paragraph (1) for “to provide pharmaceutical services to patients under regulation 20(1)(b) or (c) (arrangements for the provision of pharmaceutical services by doctors)” there were substituted a reference to the provision of dispensing services to patients under paragraph 47.”

(iv) for sub-paragraph (6) substitute—

“(6) Part 3 of Schedule 2 will apply as if modified as follows: in paragraph 8(1) (a) (ii) for “dispensing doctor list made under Part 5 of these Regulations” there were substituted a reference to an application under sub-paragraph (1) of this paragraph.”

(c) For paragraph 49(8)(6) (terms relating to the provision of dispensing services) substitute—

(8) A contractor providing dispensing services must comply with paragraph 6 of Schedule 6 to the Pharmaceutical Regulations, as if modified as follows—

(a) for “paragraph 4”, substitute “paragraph 49(4) of Schedule 6 to the GMS Regulations”;

<sup>(5)</sup> S.I. 2004/478 (W.48).

<sup>(6)</sup> Sub-paragraph 8 was substituted by S.I. 2006/358 (W.46).

- (b) for “dispensing doctor” in sub-paragraph (a) and (b), substitute “the contractor providing dispensing services.”.

**Commencement Information**

**I4** Sch. 7 para. 4 in force at 10.5.2013, see [reg. 1\(2\)](#)

**The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007**

**5.** In regulation 2(1) of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007<sup>(7)</sup>, in the definition of “Drug Tariff” for “regulation 18(e) of the National Health Service (Pharmaceutical Services) Regulations 1992 (provisions relating to determinations)” substitute “regulation 41 of the National Health Service (Pharmaceutical Services) (Wales) Regulations 2013 (the Drug Tariff and remuneration of NHS pharmacists and NHS appliance contractors)”.

**Commencement Information**

**I5** Sch. 7 para. 5 in force at 10.5.2013, see [reg. 1\(2\)](#)

**The Single Use Carrier Bags Charge (Wales) Regulations 2010**

**6.** In paragraph 1(3) of Schedule 1 to the Single Use Carrier Bags Charge (Wales) Regulations 2010<sup>(8)</sup>, in the definition of “independent nurse prescriber” for “National Health Service (Pharmaceutical Services) Regulations 1992” substitute “National Health Service (Pharmaceutical Services) (Wales) Regulations 2013”.

**Commencement Information**

**I6** Sch. 7 para. 6 in force at 10.5.2013, see [reg. 1\(2\)](#)

<sup>(7)</sup> S.I. 2007/121 (W.11). The definition of “Drug Tariff” was substituted by S.I. 2007/1112 (W.117).

<sup>(8)</sup> S.I. 2010/2880 (W.238).

**Status:**

Point in time view as at 10/05/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical Services) (Wales) Regulations 2013, SCHEDULE 7.