

EXECUTIVE NOTE

The National Health Service (Pharmaceutical Services) (Scotland) Amendment (No 3) Regulations 2006 SSI/2006/320

1. The above Regulations are being made in exercise of the powers conferred on Scottish Ministers by sections 27(1) and (2), 28A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution procedure.

Policy Objectives

2. The purpose of these Regulations is to amend the National Health Service (Pharmaceutical Services) (Scotland) Regulations 1995 (“the principal Regulations”) which regulate the provision of pharmaceutical services under the National Health Service (Scotland) Act 1978 in order to accommodate the introduction of new community pharmacy services from 1 July 2006.

3. The services will be classed as ‘additional pharmaceutical services’ and, in terms of section 27A, will be detailed in directions. The amendment adds a new category of information, with specific reference to ‘such directed services,’ to that already required to be listed in the Drug Tariff in terms of regulation 9(1) of the principal Regulations. This is to ensure that details of the fees, allowances and remuneration for the services will be included in the Drug Tariff, which is the document that authorises such payments.

4. Additionally the principal Regulations require consequential amendments. These substitute references to the National Health Service (Discipline Committees) (Scotland) Regulations 2006 for references to NHS (Service Committee and Tribunal) (Scotland) Regulations 1992, which are repealed with effect from 1 July 2006. Existing provisions in the principal Regulations relating to the 1992 Regulations refer to ‘pharmacists’ and not ‘pharmacy contractors’ but the 2006 Regulations include pharmacy contractors in the definition of ‘practitioner’. It is therefore necessary to add ‘pharmacist contractors’ to the section that lists the 2006 Regulation provisions.

Financial Effects

5. There is provision within the 2006-07 budget for the planned introduction of the new community pharmacy services.

Consultation

6. The draft regulations have been shared with the representative body for community pharmacists, the Scottish Pharmaceutical General Council, who are content with what is proposed.