

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No. 183**

**The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009**

**Effect to be given to corresponding decisions in England, Wales and Northern Ireland**

7.—(1) A Health Board shall not include the name of any person in its pharmaceutical list, and shall remove the name of any person from its pharmaceutical list, if any decision has been made in England, Wales or Northern Ireland to deal with that person in any way which corresponds (whether or not exactly) with a way in which a person may be dealt with under section 29B(2)(1), 30(2) or (5)(2) (except a decision to remove a disqualification or conditional disqualification) or 32B(1)(3) of the Act, for so long as that decision is in force.

(2) Where any corresponding decision is made in England, Wales or Northern Ireland by an equivalent body that—

- (a) a person is to be included in an equivalent list subject to conditions;
- (b) a person is to be removed from an equivalent list contingent on conditions;
- (c) a person is to be disqualified from an equivalent list subject to conditions; or
- (d) any conditions so imposed are varied,

a Health Board shall impose those conditions in relation to the provision by that person of pharmaceutical services in the area of the Health Board.

(3) The Health Board may make such modifications of the conditions referred to in paragraph (2) as it considers necessary for them to have the like effect in relation to Scotland as they do in relation to England, Wales or (as the case may be) Northern Ireland, but only if the Health Board has previously given the person concerned written notice of the proposed modifications and an opportunity to make representations about them.

---

**Commencement Information**

**II** [Reg. 7](#) in force at 1.7.2009, see [reg. 1](#)

---

(1) Section 29B(2) was added by the 1999 Act, section 58, and amended by the [Community Care and Health \(Scotland\) Act 2002 \(asp 5\)](#), Schedule 2, paragraph 2, the 2004 Act, Schedule 1, paragraph 1, and the 2005 Act, section 26(4) and schedule 3.

(2) Section 30(2) and (5) was substituted by the 1999 Act, section 58, and amended by the 2005 Act, Schedule 3.

(3) Section 32B(1) was inserted by the 1999 Act, section 65 and Schedule 4, paragraph 52, and amended by the 2005 Act, schedule 3.

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009, Section 7.