

EXECUTIVE NOTE

THE NATIONAL HEALTH SERVICE (PHARMACEUTICAL SERVICES) (SCOTLAND) AMENDMENT REGULATIONS 2009 SSI 2009/209

1. The above instrument was made in exercise of the powers conferred on Scottish Ministers by sections 2(5), 27, 105(7), 106(a) and 108(1) of and Schedule 1, paragraph 11(b) and (c) to, the National Health Service Act 1978 and of all other powers enabling them in that behalf. The instrument is subject to negative resolution procedure and extends to Scotland only. It will take effect from 1 July 2009.

Policy Objectives

2. The purpose of the instrument is to amend the National Health Service (Pharmaceutical Services) (Scotland) Regulations 2009 (SI/2009/183) (the “Principal Regulations”) to clarify a small aspect in relation to the forms used to make applications as well as to correct some minor drafting errors relating to numbering.

3. The majority of the amendments follow questions on the Regulations from the Subordinate Legislation Committee and an undertaking to amend the instrument as appropriate.

4. In considering the Principal Regulations with the above questions in mind, a minor numbering error in relation to Schedule 1, paragraph 4(2) was identified and this has also been corrected.

Amendments

5. Regulation 2(2) clarifies that there is an alternative version of Form A (for use by persons other than pharmacists)

6. Regulations 2(3)-(5) and 2(7)-(8) correct minor drafting errors in regulations 9(1), 11(5), 15(1) (e), Schedule 1 paragraph 4(10) and Schedule 2 Form A (for use by persons other than pharmacists) of the Principal Regulations.

7. Regulation 2(9) corrects minor drafting errors in the consequential amendments made by virtue of Schedule 6 of the Principal Regulations.

8. The numbering of Schedule 1 paragraph 4(2) is corrected by regulation 2(6)

Financial Effects

9. There will be no financial impact as a result of these amendments.