
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 32

NATIONAL HEALTH SERVICE

The National Health Service (Pharmaceutical Services) (Scotland) Amendment Regulations 2011

Made - - - - 20th January 2011
Laid before the Scottish Parliament - - - - 24th January 2011
Coming into force - - 1st April 2011

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 2(5), 27, 105(7), 106(a) and 108(1) of the National Health Service (Scotland) Act 1978⁽¹⁾ and all other powers enabling them to do so.

In accordance with paragraph 24(1) and (3) of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007⁽²⁾ they have consulted the Administrative Justice and Tribunals Council and it has consulted its Scottish Committee.

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- (1) 1978 c.29. Section 2(5) was amended by the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), section 66(1) and Schedule 9, paragraph 19(1); section 27 was amended by the Health Services Act 1980 (c.53), section 20(2), the National Health Service (Amendment) Act 1986 (c.66), section 3(3), the 1990 Act, section 66(1) and Schedule 19(7), the Medicinal Products: Prescription by Nurses etc. Act 1992 (c.28), section 3, the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2, paragraph 44 and the Health and Social Care Act 2001 (c.15), section 44(2) and by S.I. 1987/2202, 2003/1590, 2004/1771, 2005/2011 and 2010/231; section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 29(1), Schedule 9, paragraph 24 and the Health Act 1999 (c.8) (“the 1999 Act”), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act (c.46) (“the 1998 Act”). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.
- (2) 2007 c.15. The National Appeal Panel constituted under Part II of Schedule 4 to the principal regulations is a listed tribunal for the purposes of Schedule 7 to the Tribunals Courts and Enforcement Act 2007 in terms of S.S.I. 2007/436.