



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART I

ORGANISATION

[^{F1}Persons performing pharmaceutical care services

PROSPECTIVE

[^{F1}17X Persons performing pharmaceutical care services

- (1) Regulations may provide that a registered pharmacist may not perform any pharmaceutical care service which a Health Board is, under section 2CA(1), under a duty to provide or secure the provision of unless that pharmacist is included in a list maintained under the regulations by the Health Board.
- (2) Regulations under subsection (1) may make provision in relation to such lists and in particular as to—
 - (a) the preparation, maintenance and publication of a list;
 - (b) eligibility for inclusion in a list;
 - (c) applications for inclusion (including provision for the procedure for applications to be made and dealt with and documents to be supplied on application);
 - (d) the grounds on which an application for inclusion must be granted or refused;
 - (e) requirements with which a person included in a list must comply (including requirements as to standards of performance and patient care and as to declarations, consents or undertakings);
 - (f) suspension or removal from a list (including the grounds for and consequences of suspension or removal);

Status: Point in time view as at 01/02/2023. This version of this provision is prospective.

Changes to legislation: National Health Service (Scotland) Act 1978, Section 17X is up to date with all changes known to be in force on or before 24 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (g) circumstances in which a person included in a list may not withdraw from it;
 - (h) payments to be made by a Health Board in respect of a person suspended from the list (including provision for the amount of, or the method of calculating, the payment to be determined by the Scottish Ministers);
 - (i) criteria to be applied in making decisions under the regulations;
 - (j) disclosure of information about applicants for inclusion, refusals of applications, or suspensions, removals or references to the Tribunal.
- (3) Regulations making provision as to the matters referred to in subsection (2)(j) may in particular authorise the disclosure of information—
- (a) by a Health Board to the Scottish Ministers; and
 - (b) by the Scottish Ministers to a Health Board.]

Textual Amendments

- F1** S. 17X and preceding cross-heading inserted (prosp.) by [Smoking, Health and Social Care \(Scotland\) Act 2005 \(asp 13\)](#), **ss. 23**, 43(3)

Status:

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