



National Health Service (Scotland) Act 1978

1978 CHAPTER 29

PART II

PROVISION OF SERVICES

Pharmaceutical services

28 Persons authorised to provide pharmaceutical services.

- (1) Except as may be provided by [^{F1}or under] regulations, no arrangements shall be made by a Health Board with a medical practitioner or dental practitioner under which he is required or agrees to provide pharmaceutical services to any person to whom he is rendering [^{F2}primary medical services under Part 1] or general dental services.
- (2) Except as may be provided by [^{F3}or under] regulations, no arrangements for the dispensing of medicines [^{F4}or the provision of pharmaceutical services] shall be made with persons other than persons who are registered pharmacists or are persons lawfully conducting a retail pharmacy business in accordance with section 69 of the ^{M1}Medicines Act 1968, and who undertake
- [^{F5}(a)] that all medicines [^{F6}provided] by them under the arrangements made under this Part shall be dispensed [^{F7}, and
- (b) that
- [all services mentioned in section 27(1)(d) provided by them under ^{F8}(i)] those arrangements
- [all additional pharmaceutical services provided in accordance with a ^{F9}(ii) direction under section 27A,]
- shall be provided] either by, or under the direct supervision of, a registered pharmacist.

Status: Point in time view as at 07/02/2007. This version of this provision has been superseded.

Changes to legislation: National Health Service (Scotland) Act 1978, Section 28 is up to date with all changes known to be in force on or before 04 August 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)

[^{F10}(2A) Regulations shall provide for the preparation and publication by a Health Board of one or more lists of medical practitioners who undertake to supply drugs and appliances in the Board's area.

(2B) The regulations shall include provision for the removal of an entry from a list in prescribed circumstances.]

[^{F11}(2C) Where—

- (a) arrangements have been made under this Part with a registered pharmacist; and
- (b) his registration is suspended by virtue of any direction or order under the Pharmacists and Pharmacy Technicians Order 2007,

he shall not provide any services under those arrangements during the period of the suspension.]

Textual Amendments

- F1** Words inserted by [National Health Service \(Amendment\) Act 1986 \(c. 66, SIF 113:2\), s. 3\(4\)](#)
- F2** Words in s. 28(1) substituted (1.4.2004) by [Primary Medical Services \(Scotland\) Act 2004 \(asp 1\), ss. 8, 9\(1\), Sch. para. 1\(8\); S.S.I. 2004/58, art. 2\(3\)](#)
- F3** Words inserted by [National Health Service \(Amendment\) Act 1986 \(c. 66, SIF 113:2\), s. 3\(4\)](#)
- F4** Words inserted by [National Health Service and Community Care Act 1990 \(c.19, SIF 113:2\), s. 66\(1\), Sch. 9 para. 19\(8\)\(a\)](#)
- F5** “(a)” inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\), s. 66\(1\), Sch. 9 para. 19\(8\)\(b\)](#)
- F6** Word substituted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\), s. 66\(1\), Sch. 9 para. 19\(8\)\(c\)](#)
- F7** Words inserted by [National Health Service and Community Care Act 1990 \(c. 19, SIF 113:2\), s. 66\(1\), Sch. 9 para. 19\(8\)\(d\)](#)
- F8** S. 28(2)(b) “(i)” inserted (15.8.1997) by 1997 c. 46, s. 41(10), [Sch. 2 Pt. I para. 45](#); S.I. 1997/1780, art 2(1), [Sch.](#)
- F9** S. 28(2)(b)(ii) inserted (15.8.1997) by 1997 c. 46, s. 41(10), [Sch. 2 Pt. I para. 45](#); S.I. 1997/1780, art. 2(1), [Sch.](#)
- F10** S. 28(2A)(2B) inserted (1.4.1998) by [National Health Service \(Primary Care\) Act 1997 \(c. 46\), ss. 29\(2\), 41\(3\); S.I. 1998/631, art. 2\(a\), Sch. 1 \(with arts. 3-5\)](#)
- F11** S. 28(2C) inserted (coming into effect in accordance with art. 1 of the amending S.I.) by [The Pharmacists and Pharmacy Technicians Order 2007 \(S.I. 2007/289\), art. 67, Sch. 1 para. 4\(3\)](#)

Marginal Citations

- M1** 1968 c. 67.(84).

Status:

Point in time view as at 07/02/2007. This version of this provision has been superseded.

Changes to legislation:

National Health Service (Scotland) Act 1978, Section 28 is up to date with all changes known to be in force on or before 04 August 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.