



# National Health Service (Scotland) Act 1978

## 1978 CHAPTER 29

### PART V

#### PROPERTY AND FINANCE

#### *[<sup>F1</sup> Indicative amounts]*

#### **87D Indicative amounts for doctors' practices.**

- (1) Subject to [<sup>F1</sup>subsection (2) and (8)], for each financial year every Health Board shall, by notice in writing given to each practice in relation to the members of which it is the relevant Health Board, specify an amount of money (in this Act referred to as an “indicative amount”) representing the basic price of the drugs, medicines and listed appliances which, in the opinion of the Board, it is reasonable to expect will be supplied in that year pursuant to orders given by or on behalf of the members of that practice.
- (2) Subsection (1) does not apply with respect to a practice which is or forms part of a fund-holding practice recognised under section 87A.
- (3) For the purposes of this section, a “practice” means—
  - (a) a single medical practitioner who [<sup>F2</sup>is on the medical list of a Health Board and] practises otherwise than in partnership; or
  - [<sup>F3</sup>(b) in the case of two or more medical practitioners who practise in partnership with each other, each medical practitioner who is on the medical list of a Health Board;]and any reference to the members of a practice shall be construed accordingly.
- (4) The members of a practice shall seek to secure that, except with the consent of the relevant Health Board or for good cause, the orders for drugs, medicines and listed appliances given by them or on their behalf are such that the basic price of the items

*Status: Point in time view as at 22/03/1991. This version of this provision never came into effect.*

**Changes to legislation:** National Health Service (Scotland) Act 1978, Section 87D is up to date with all changes known to be in force on or before 17 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)

supplied pursuant to those orders in any financial year does not exceed the indicative amount notified to the practice for that year under subsection (1).

- (5) For the purpose of measuring the extent to which a practice is operating within the indicative amount notified to it under subsection (1) for any financial year, a Health Board shall set against that indicative amount an amount equal to the basic price of the drugs, medicines and listed appliances supplied in that year pursuant to orders given by or on behalf of members of the practice.
- (6) For the purposes of this section, regulations may make provision as to the specification of, or means of calculating, the basic price of any drugs, medicines and listed appliances.
- (7) If, in the case of any practice, a member is on the medical list of a [<sup>F4</sup>Health Authority established under section 8] of the National Health Service Act 1977 (as well as on that of a Health Board), any question whether this section applies in relation to the members of the practice shall be determined in accordance with regulations; and any such regulations may modify the preceding provisions of this section in their application to such practice.
- [<sup>F5</sup>(8) This section does not apply in relation to the performance or provision of personal medical services in accordance with section 17C arrangements.]

#### Textual Amendments

- F1** Words in s. 87D(1) substituted (*prosp.*) by 1997 c. 46, s. 41(3)(10), **Sch. 2 Pt. I para. 55(1)(2)**
- F2** Words in s. 87D(3)(a) inserted (*prosp.*) by 1997 c. 46, s. 41(3)(10), **Sch. 2 Pt. I para. 55(1)(3)(a)**
- F3** S. 87D(3)(b) substituted (*prosp.*) by 1997 c. 46, s. 41(3)(10), **Sch. 2 Pt. I para. 55(1)(3)(b)**
- F4** Words in s. 87D substituted (28.6.1995 for certain purposes and 1.4.1996 for all other purposes) by 1995 c. 17, ss. 2(1), 2(3), **Sch. 1 Pt. III para. 102(6)** (with Sch. 2 para. 6)
- F5** s. 87D(8) inserted (*prosp.*) by 1997 c. 46, s. 41(3)(10), **Sch. 2 Pt. I para. 55(1)(4)**

#### Modifications etc. (not altering text)

- C1** S. 87D modified (1.4.1992) by S.I. 1992/81, **reg. 3**.

**Status:**

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