



# National Health Service Act 2006

## 2006 CHAPTER 41

### PART 7

#### PHARMACEUTICAL SERVICES AND LOCAL PHARMACEUTICAL SERVICES

#### CHAPTER 1

##### PROVISION OF PHARMACEUTICAL SERVICES

#### 130 Regulations under section 129: appeals, etc

- (1) Regulations under section 129 must include provision conferring on such persons as may be prescribed rights of appeal from decisions made by virtue of that section.
- (2) If regulations made by virtue of section 129(6)(g) provide that a Primary Care Trust may refuse to grant an application [<sup>F1</sup>on grounds corresponding to the conditions referred to in section 151(2), (3) or (4) as read with section 153], they must also provide for an appeal [<sup>F2</sup>(by way of redetermination)] to the [<sup>F3</sup>First-tier Tribunal] against the decision of the Primary Care Trust.
- (3) Regulations under section 129 must be so framed as to preclude—
  - (a) a person included in a pharmaceutical list, and
  - (b) an employee of such a person,from taking part in the decision whether an application such as is mentioned in section 129(2)(c) should be granted or an appeal against such a decision brought by virtue of subsection (1) of this section should be allowed.

#### Textual Amendments

- F1** Words in s. 130(2) inserted (27.3.2012 for specified purposes) by [Health and Social Care Act 2012](#) (c. 7), ss. [207\(10\)\(a\)](#), [306\(1\)\(d\)\(4\)](#)
- F2** Words in s. 130(2) omitted (27.3.2012 for specified purposes) by virtue of [Health and Social Care Act 2012](#) (c. 7), ss. [207\(10\)\(b\)](#), [306\(1\)\(d\)\(4\)](#)

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*Status: Point in time view as at 27/03/2012. This version of this provision has been superseded.*

*Changes to legislation: National Health Service Act 2006, Section 130 is up to date with all changes known to be in force on or before 28 June 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)*

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**F3** Words in s. 130(2) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 2 para. 111** (with Sch. 5)

**Status:**

Point in time view as at 27/03/2012. This version of this provision has been superseded.

**Changes to legislation:**

National Health Service Act 2006, Section 130 is up to date with all changes known to be in force on or before 28 June 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.