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STATUTORY INSTRUMENTS

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**2006 No. 552**

**The National Health Service (Local  
Pharmaceutical Services etc.) Regulations 2006**

**PART 4**

**LPS SCHEMES**

**Right of return to pharmaceutical lists**

**15.**—(1) Before a Primary Care Trust enters into an LPS scheme, it must determine pursuant to this regulation whether the contractor is to be given a right of return, subject to the conditions specified in regulation 10(2) of the Pharmaceutical Services Regulations, if it makes an application for its name to be included in a Primary Care Trust's pharmaceutical list after ceasing to provide LP services.

(2) Before an LPS scheme is varied so as to permit the provision of LP services from different, or additional premises, the Primary Care Trust must consider how the variation affects (if at all) a determination under this regulation, and may make a further determination varying or cancelling a determination under this regulation.

(3) The Primary Care Trust may at any time make a determination under this regulation varying a determination about a contractor if it is asked to do so by the contractor.

(4) Before making any determinations under this regulation, the Primary Care Trust must publish the principles by reference to which it will make such determinations, and it may amend those principles from time to time.

(5) The Primary Care Trust must notify—

- (a) contractors providing local pharmaceutical services in its locality;
- (b) any person included in its pharmaceutical list;
- (c) any Local Pharmaceutical Committee formed for its area;
- (d) any Local Medical Committee formed for its area;
- (e) any Primary Care Trust or Local Health Board any part of whose locality is within two kilometres of the premises of the relevant contractor; and
- (f) any Patient's Forum serving the locality of the Primary Care Trust,

in writing of any determination under this regulation.

(6) Different determinations may be made under this regulation with respect to different contractors providing LP services under the same LPS scheme.