
STATUTORY INSTRUMENTS

2009 No. 2205

**The National Health Service (Miscellaneous Amendments
Relating to Community Pharmaceutical Services
and Optometrist Prescribing) Regulations 2009**

PART 2

**Amendment of the National Health Service (Local
Pharmaceutical Services etc.) Regulations 2006**

Amendment of regulation 15

31. In regulation 15(1) (right of return to pharmaceutical lists), after paragraph (6) insert the following paragraphs—

“(7) Nothing in this regulation prevents a Primary Care Trust from making a temporary amendment to an LPS Scheme which the Primary Care Trust is satisfied is necessary or expedient because of an emergency requiring the flexible provision of pharmaceutical services.

(8) In the circumstances described in paragraph (7), the Primary Care Trust may make a temporary variation to a determination about a contractor, but—

- (a) only for a specified period (which shall not be longer than the specified period of the emergency given by the Secretary of State) which the Primary Care Trust may extend or curtail in appropriate circumstances; and
- (b) the contractor may revert to the contractor’s overridden determination before the end of the period specified by the Primary Care Trust, on giving the Primary Care Trust at least 24 hours notice.

(9) There is no right of appeal under these Regulations in respect of a decision to make or not to make, or to curtail the duration of, a temporary variation to an LPS scheme made under paragraph (8).”.