

SCHEDULE 7

Mandatory terms for LPS schemes

Inducements etc

14.—(1) The LPS contractor (C) (including C's staff) must not give, promise or offer to any person any gift or reward (whether by way of a share of or dividend on the profits of C's business or by way of discount or rebate or otherwise) as an inducement to or in consideration of a person (X)—

- (a) presenting an order for drugs or appliances on a non-electronic prescription form or non-electronic repeatable prescription;
- (b) nominating C as X's dispensing contractor (or one of them) in X's PDS patient details; or
- (c) being provided with any LP service by C.

(2) Promising, offering or providing an auxiliary aid in relation to the supply of drugs or a home delivery service is not a gift or reward for the purposes of sub-paragraph (1).

(3) C (including C's staff) must not give, promise or offer to any relevant person any gift or reward (including by way of a share of, or dividend on, the profits of C's business, or by way of a discount or rebate) as an inducement to or in consideration of the relevant person recommending to any person that they—

- (a) present to C an order for drugs or appliances on a prescription form or repeatable prescription;
- (b) nominate C as their dispensing contractor (or one of them) on their PDS patient details; or
- (c) are provided with any LP service by C.

(4) For the purpose of sub-paragraph (3), “relevant person” means any person who performs or provides NHS services, whether on their own behalf or on behalf of another, and includes—

- (a) any NHS body or provider of primary medical services; and
- (b) any person employed or engaged by any of the persons mentioned in paragraph (a).

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013, Paragraph 14.