

SCHEDULE 5

Terms of service for NHS pharmacists who provide pharmaceutical services in particular by the provisions of drugs

PART 1

General

Interpretation

1. In this Schedule, drugs or appliances are to be taken to be requested or provided in accordance with a repeatable prescription even if the person who wishes to obtain pharmaceutical services does not present that prescription, as long as—

- (a) the NHS pharmacist has that prescription in their possession, and
- (b) that person presents, or the NHS pharmacist has in their possession, an associated batch issue.

Commencement Information

- II** Sch. 5 para. 1 in force at 1.10.2020, see [reg. 1\(2\)\(b\)](#)

Incorporation of provisions

2. Any provisions of the following affecting the rights and obligations of NHS pharmacists who provide pharmaceutical services form part of the terms of service—

- (a) the Regulations,
- (b) the Drug Tariff in so far as it lists drugs and appliances for the purposes of section 80 of the 2006 Act (arrangements for pharmaceutical services),
- (c) so much of Part 2 of the National Health Service (Service Committees and Tribunal) Regulations 1992 as relates to—
 - (i) investigations made by the pharmaceutical discipline committee and the joint discipline committee and action which may be taken by the Local Health Board as a result of such investigations, and,
 - (ii) appeals to the Welsh Ministers from decisions of the Local Health Board^[F1.]

^{F2}(d)

Textual Amendments

- F1** Sch. 5 para. 2(c)(ii): full stop substituted (1.4.2023) by [The Health and Social Care \(Quality and Engagement\) \(Wales\) Act 2020 \(Consequential, Supplementary and Incidental Amendments and Revocations\) \(Secondary Legislation\) Regulations 2023 \(S.I. 2023/299\)](#), regs. 1(2), [9\(5\)\(a\)](#)
- F2** Sch. 5 para. 2(d) omitted (1.4.2023) by virtue of [The Health and Social Care \(Quality and Engagement\) \(Wales\) Act 2020 \(Consequential, Supplementary and Incidental Amendments and Revocations\) \(Secondary Legislation\) Regulations 2023 \(S.I. 2023/299\)](#), regs. 1(2), [9\(5\)\(b\)](#)

Changes to legislation: There are currently no known outstanding effects for the The National Health Service (Pharmaceutical Services) (Wales) Regulations 2020, PART 1. (See end of Document for details)

Commencement Information

I2 Sch. 5 para. 2 in force at 1.10.2020, see **reg. 1(2)(b)**

[^{F3}2A. Code of practice on access to premises

An NHS pharmacist who provides pharmaceutical services must have regard to the code of practice on access to premises prepared and published by the Welsh Ministers under section 19(1) of the Health and Social Care (Quality and Engagement) (Wales) Act 2020 (“the 2020 Act”) (so far as the code is relevant) in exercising any function that relates to the provision of health services or social services (within the meaning of those terms in section 21 of the 2020 Act).]

Textual Amendments

F3 Sch. 5 para. 2A inserted (1.4.2023) by The Health and Social Care (Quality and Engagement) (Wales) Act 2020 (Consequential, Supplementary and Incidental Amendments and Revocations) (Secondary Legislation) Regulations 2023 (S.I. 2023/299), regs. 1(3)(b), **9(5)(c)**

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Pharmaceutical Services) (Wales) Regulations 2020, PART 1.