

# National Health Service (Scotland) Acts, 1947 to 1978

## Highland Health Board

### **Regulations of Pharmaceutical Services (Scotland) Regulations 2009, as amended 2011**

Scheme prepared by the board after consultation with the Area Pharmaceutical Committee under Regulation 29(2) of the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974 herein referred to as "the Regulations", and approved by the Secretary of State for securing that one or more places of business on the Pharmaceutical List in each district shall be open at all reasonable times, and specifying the arrangements for the dispensing of medicine required urgently at other times.

#### Normal Hours of Service

1. Except as provided in paragraph 3 below, all places of business on the Pharmaceutical List shall be open for the supply of drugs and prescribed appliances, or for the supply of prescribed appliances (as the case may be) on the days and on the hours following :-

On five week days in the week (less any public holidays in the week)	9am to 5.30pm (during which time they may be closed for about one hour in the middle of the day)
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On one week day (the Early Closing Day as defined in the Shops Acts 1950-65)	9am to 1 pm
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and at any other time when a chemist's place of business is open for the purpose of supplying drugs or appliances he shall supply drugs or prescribed appliances which are ordered under the Regulations.

#### Additional Hours of Service

2. Where the Board after consultation with the Area Pharmaceutical Committee consider it necessary for the securing of an adequate pharmaceutical service in any part of their area that one or more places of business should be open for a period (a) on the afternoon of the early closing day, (b) on Sundays or public holidays, or (c) after normal closing hour on other days, and that for that purpose arrangements should be made, the following provisions shall apply :-

(a) The Board shall decide for the part of their area in question suitable hours of opening on the set days, and the number of places of business to be open; they shall determine the places of business which are to be open by means of rotas prepared in accordance with the provisions in the Appendix. Any place of business specified in a rota shall be open on such days and at such hours as the rota requires.

(b) Every chemist shall, if required by the Board, participate in the rota.

#### Variations

3. If a chemist applies to the Board for permission to vary, or to open for less than, the normal hours of service set out in paragraph 1, or for relief from duties under paragraph 2, the Board shall have the power to consent to the application subject to such conditions (if any) as they think necessary to ensure an adequate pharmaceutical service. Before exercising such power the Board shall consult the Area Pharmaceutical Committee and the Area Medical Committee.

#### Alternative Arrangements

4. If, for a temporary period, a chemist is prevented by illness or other reasonable cause from complying with the requirements of this scheme, he shall make arrangements to the satisfaction of the Board that one or more chemists who's premises are on the Pharmaceutical List and are situated in the district, shall comply on his behalf with the requirements of this scheme. He shall display a notice at his place of business visible from outside when the premises are closed, indicating the place of business with which such arrangements have been made.

#### Urgent Prescriptions

5. As provided in paragraph 3(2) or Part I of the Third Schedule to the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974 there shall be exhibited at each place of business of a registered pharmacist at times when that place of business is not open, and in such manner as to be visible at such times, a notice in a form approved by the Board indicating the facilities for securing the dispensing of medicines urgently required.

#### Notification to Chemists, Doctors and Dentists

6. The Board shall send a copy of this scheme to each chemist at each place at which he provides pharmaceutical services and to each medical and dental practitioner giving service under the National Health Service (Scotland) Acts 1947 to 1978.
  - (a) The Board shall send to each chemist with a place of business in a district in which rota arrangements are in operation and to each medical and dental practitioner practising in such district a note of the places of business which are to be open under these arrangements, and the days and hours each place of business is to be open.

#### Interpretation

7. "Rota" means an arrangement whereby two or more chemists are required by the Board to open in turn at stated hours beyond the normal hours set out in paragraph 1 of this scheme, for the purpose of ensuring a pharmaceutical service at all reasonable times.

The words and expressions in this scheme have the same meaning as in the National Health Service (General Medical and Pharmaceutical Services) (Scotland) Regulations 1974.

8. The provisions of this scheme shall be incorporated in and form part of the terms of service for chemists.

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## **APPENDIX**

1.
  - a. The rotas giving the order in which additional duties are to fall upon each chemist shall be prepared by the Board or an authorised Committee of the Board as soon as possible after this scheme has been approved by or for the Secretary of State for Scotland.
  - b. The rota for additional duties to be carried out on the early closing day shall commence with effect from a date to be fixed by the Board.
  - c. The rota for additional duties to be carried out on Sundays and public holidays shall commence with effect from a date to be fixed by the Board.
  - d. The order in which these additional duties will fall upon each chemist in respect of each place of business at which he provides pharmaceutical services will be determined by lot: such duties will recur in the order so established.
  - e. The lots to establish the order in which additional duties will be allocated in respect of the early closing day will be drawn from a record of each place of business at which pharmaceutical services are provided by chemists within the district to which the rota applies.
  - f. The lots to establish the order in which additional duties will be allocated in respect of Sundays and public holidays will be drawn from a record of each place of business at which pharmaceutical services are provided by chemists within the district to which the rota applies. Such premises as may be prohibited by a Licensing Court from opening on Sundays shall be selected as the premises in which additional duties are to be carried out on the next succeeding public holiday.
2. Each Chemist shall on the afternoon of the early closing day, Sundays and public holidays on which his place of business is not open, exhibit, so that it may be visible at all times, a copy of the appropriate rota indicating where facilities are available for the supply of drugs, medicines and prescribed appliances.