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WELSH STATUTORY INSTRUMENTS

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**2004 No. 1605 (W.164)**

**NATIONAL HEALTH SERVICE, WALES**

**The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004**

*Made* - - - - - *23 June 2004*  
*Coming into force* - - - - - *1 October 2004*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 77 and 126(4) of the National Health Service Act 1977(1) hereby makes the following Regulations:

**Citation, commencement, interpretation and application**

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004 and come into force on 1 October 2004.

(2) In these Regulations “the principal Regulations” (“*y prif Reoliadau*”) means the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001(2).

(3) These Regulations apply to Wales only.

**Amendment of regulation 2 of the principal Regulations**

2.—(1) Regulation 2 of the principal Regulations (interpretation) is amended in accordance with the following provisions of this regulation.

(2) In paragraph (1) insert the following definition in the appropriate place in the alphabetical order—

““Local Health Board” (“*Bwrdd Iechyd Lleol*”) has the meaning assigned to it by section 16BA of the Act;”.

(3) After paragraph (1), insert the following paragraph—

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(1) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”.

Section 126(4) was amended by the 1990 Act, section 65(2) and the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 37(6).

The functions of the Secretary of State under sections 77 and 126(4) were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), article 2 and Schedule 1, as amended by the 1999 Act, section 66(4), the Health and Social Care Act 2001 (c. 15), section 68(1), the national Health Service Reform and Health Care Professions Act 2002 (c. 17), section 40(1) and the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), section 197(1).

(2) S.I.2001/1358 (W.86). Relevant amending instruments are S.I.2001/2359 (W.196) and 2004/1018 (W.115).

“(1A) The words “Health Authority” shall, in each place they occur, have effect as if there were substituted the words “Local Health Board”.”.

**Amendment of amounts specified in the principal Regulations**

3. For each amount specified in the column (3) of the Schedule to these Regulations, where it appears in the provision of the principal Regulations specified in relation to it in column (1) (the subject matter of which is indicated in column (2)), substitute the amount specified in relation to it in column (4).

**Amendment of regulation 8 of the principal Regulations**

4. In regulation 8(2)(b), for “sub-paragraph (b)” substitute “sub-paragraph (a)”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

23 June 2004

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

## SCHEDULE

Regulation 3

## AMOUNTS SUBSTITUTED IN THE PRINCIPAL REGULATIONS

<i>(1)</i> <i>Provision in the</i> <i>principal Regulations</i>	<i>(2)</i> <i>Subject matter</i>	<i>(3)</i> <i>old amount</i>	<i>(4)</i> <i>new amount</i>
Regulation 3 —	Supply of drugs and appliances by chemists —		
paragraph (1)(a)	charge for elastic hosiery —		
	per item	£ 6.00	£ 5.00
	per pair	£ 12.00	£ 10.00
paragraph (1)(b)	charge for drugs, and for appliances not specified in paragraph (1)(a)	£ 6.00	£ 5.00
paragraph (1A)(a)	charge for elastic hosiery —		
	per item	£ 6.00	£ 5.00
	per pair	£ 12.00	£ 10.00
paragraph (1A)(b)	charge for drugs, and for appliances not specified in paragraph (1A)(b)	£ 6.00	£ 5.00
paragraph (4)	charge for drugs supplied by instalments	£ 6.00	£ 5.00
Regulation 4 —	Supply of drugs and appliances by doctors —		
paragraph (1)(a)	charge for elastic hosiery		
	per item	£ 6.00	£ 5.00
	per pair	£ 12.00	£ 10.00
paragraph (1)(b)	charge for drugs and appliances not specified in paragraph (1)(a)	£ 6.00	£ 5.00
Regulation 5 —	Supply of drugs and appliances to out-patients by Local Health Boards and NHS Trusts —		

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

<i>(1)</i> <i>Provision in the principal Regulations</i>	<i>(2)</i> <i>Subject matter</i>	<i>(3)</i> <i>old amount</i>	<i>(4)</i> <i>new amount</i>
paragraph (1)(a)	charge for elastic hosiery—		
	per item	£ 6.00	£ 5.00
	per pair	£ 12.00	£ 10.00
paragraph (1)(c)	charge for tights	£ 12.00	£ 10.00
paragraph (1)(d)	charge for drugs and appliances not specified in paragraph (1)(a) or (1)(c), or in Schedule 1	£ 6.00	£ 5.00
paragraph (5)	charge for drugs supplied by instalments	£ 6.00	£ 5.00
Regulation 6 —	Supply of drugs and appliances at Walk-in centres		
paragraph (1)(a)	charge for elastic hosiery —		
	per item	£ 6.00	£ 5.00
	per pair	£ 12.00	£ 10.00
Paragraph (1)(b)	charge for drugs and for appliances not specified in paragraph (1)(a)	£ 6.00	£ 5.00
paragraph (4)	charge for drugs supplied by instalments	£ 6.00	£ 5.00
Regulation 7(1)	Supply of drugs under Patient Group Directions		
	charge for drugs	£ 6.00	£ 5.00
Regulation 10(5)	Pre-payment certificate —		
	4 months	£ 31.40	£ 26.16
	12 months	£ 84.60	£ 71.83

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001 (“the principal Regulations”) which provide for the making and recovery of charges for drugs and appliances supplied by doctors and chemists providing pharmaceutical and dispensing services, and by Local Health Boards and NHS Trusts to out-patients.

Regulation 2 of the principal Regulations is amended so that references to a “health authority” will be treated as references to a “local health board”.

Amendments made by regulation 3 and the Schedule reduce the charge for items on prescription supplied to out-patients from £6.00 to £5.00. The charge for elastic stockings is reduced from £6.00 to £5.00 (from £12.00 to £10.00 per pair) and that for tights from £12.00 to £10.00. The sums prescribed for the grant of pre-payment certificates are reduced from £31.40 to £26.16 for a four month certificate and from £86.20 to £71.83 for a twelve month certificate.

Amendments made by regulation 4 provide that no charge will be payable by persons under the age of 25 years for the supply of certain appliances and drugs in accordance with regulation 5 of the principal Regulations (supply of drugs and appliances by Local Health Boards and NHS Trusts).