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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 27**

**The National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2008**

**Partial refunds of pre-payment certificates due to price reduction**

**11.**—(1) Where a person has obtained a pre-payment certificate prior to 1st April 2008 by virtue of making any payment in accordance with—

- (a) regulation 8 of the 2007 Regulations(1);
- (b) regulation 8 of the 2007 (No. 2) Regulations(2),

and the pre-payment certificate remains valid for one or more complete months following 1st April 2008, an application for a partial refund of the sum paid for the pre-payment certificate may be made, by or on behalf of that person or his or her estate, in accordance with paragraphs (3) and (4) in respect of each complete month beginning with 1st April 2008.

(2) The partial refund referred to in paragraph (1) is calculable as follows—

- (a) in the case of a pre-payment certificate valid for a period of 4 months, the sum of £4.72 for each complete month during which the pre-payment certificate remains valid beginning with 1st April 2008;
- (b) in the case of a pre-payment certificate valid for a period of 12 months, the sum of £4.23 for each complete month during which the pre-payment certificate remains valid beginning with 1st April 2008.

(3) An application under this regulation for a partial refund shall be made to the Agency and must be received by the Agency not more than 3 months after the date on which the pre-payment certificate expires.

(4) An application under this regulation for a partial refund shall be made on a form provided for the purpose by the Agency and shall be accompanied by a declaration in support of the application.

(5) Any partial refund under this regulation shall be made in such a manner and subject to such conditions as the Scottish Ministers may determine.

(6) For the purposes of this regulation, “complete month” means the month beginning on the monthly anniversary of the date upon which the pre-payment certificate became valid and ending on the date immediately preceding that date in the following month.

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(1) S.S.I. 2007/139, amended by S.S.I. 2007/317; S.S.I. 2007/139 and 317 were revoked by S.S.I. 2007/389, but the provisions of S.S.I. 2007/139 continue to apply after 1st October 2007 in respect of pre-payment certificates issued under regulation 8 of those Regulations (by virtue of regulation 10(2)(c)(ii) of S.S.I. 2007/389).

(2) S.S.I. 2007/389.