

2015 No. 160

NATIONAL HEALTH SERVICE

**The National Health Service (Free Prescriptions and Charges for
Drugs and Appliances) (Scotland) Amendment Regulations
2015**

<i>Made</i>	- - - -	<i>31st March 2015</i>
<i>Laid before the Scottish Parliament</i>		<i>2nd April 2015</i>
<i>Coming into force</i>	- -	<i>17th May 2015</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 69 and 105(7) of the National Health Service (Scotland) Act 1978(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2015 and come into force on 17th May 2015.

Amendment of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011

2.—(1) The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011(b) are amended in accordance with this regulation.

(2) In regulation 2(1) (interpretation)—

(a) omit the definition of “the 2000 Regulations”; and

(b) after the definition of “the 2009 Regulations” insert—

““the 2015 Regulations” means the National Health Service (Charges for Drugs and Appliances) Regulations 2015(c);”.

(3) In regulation 3(2) (supply of drugs and appliances)—

(a) in sub-paragraph (a)—

(i) for “the 2000 Regulations” substitute “the 2015 Regulations”;

(a) 1978 c.29. Section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 29(1) and Schedule 9, paragraph 24, and by the Health Act 1999 (c.8), Schedule 4, paragraph 60. Section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory power under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2011/55, amended by S.S.I. 2012/74, S.S.I. 2013/191 and S.S.I. 2014/115.

(c) S.I. 2015/570.

- (ii) for “1st April 2014” substitute “1st April 2015”(a);
- (b) in sub-paragraph (b)—
 - (i) omit the words “and each quantity of drug”;
 - (ii) for “the 2000 Regulations” substitute “the 2015 Regulations”;
 - (iii) for “1st April 2014” substitute “1st April 2015”(b); and
- (c) after sub-paragraph (b) insert—
 - “(c) in respect of the supply of each quantity of a drug, the charge that is specified in regulation 3(1)(c) of the 2015 Regulations as in force at 1st April 2015(c).”.

Revocations

3. The following Regulations are revoked—

- (a) the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2012(d);
- (b) the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2013(e); and
- (c) the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2014(f).

SHONA ROBISON

A member of the Scottish Government

St Andrew’s House,
Edinburgh
31st March 2015

(a) The charge specified in regulation 3(1)(a) of S.I. 2015/570 as at 1st April 2015 relating to the supply of elastic hosiery is £8.20 or £16.40 per pair.

(b) The charge specified in regulation 3(1)(b) of S.I. 2015/570 as at 1st April 2015 relating to the supply of each other appliance is £8.20.

(c) The charge specified in regulation 3(1)(c) of S.I. 2015/570 as at 1st April 2015 relating to the supply of each quantity of a drug is £8.20.

(d) S.S.I. 2012/74.

(e) S.S.I. 2013/191.

(f) S.S.I. 2014/115.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011 (“the principal Regulations”). The principal Regulations provide that where a person provides pharmaceutical services to a patient who presents an English prescription form, that person must make and recover from the patient the charges specified in the National Health Service (Charges for Drugs and Appliances) Regulations 2015 as at a specified date, unless certain exemptions apply.

Regulation 2 updates the principal Regulations so that the charge for a prescription presented on an English prescription form will reflect the rate applicable under those Regulations as at 1st April 2015. Those Regulations specify the following charges:

- £8.20 or £16.40 per pair in relation to the supply of elastic hosiery;
- £8.20 in relation to the supply of any other appliance;
- £8.20 in relation to the supply of each quantity of a drug.

Regulation 3 revokes regulations which made earlier amendments to the principal Regulations.

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