

**1976 No. 516**
**NATIONAL HEALTH SERVICE, ENGLAND AND WALES**
**The Sale of Goods for Mothers and Children  
(Designation and Charging) Regulations 1976**

<i>Made - - - -</i>	<i>26th March 1976</i>
<i>Laid before Parliament</i>	<i>7th April 1976</i>
<i>Coming into Operation</i>	<i>30th April 1976</i>

The Secretary of State for Social Services, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of their powers under section 2(2) of the National Health Service Reorganisation Act 1973(a) and of all other powers enabling them in that behalf, hereby make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the Sale of Goods for Mothers and Children (Designation and Charging) Regulations 1976 and shall come into operation on 30th April 1976.

*Interpretation*

2.—(1) In these regulations, unless the context otherwise requires—

“cost price” means the actual cost of an article payable by an area health authority after any deductions in respect of discount or rebate and including any transport or delivery charges due to the supplier by that area health authority in respect of the article;

“clinic or centre” means an area health authority maternity and/or child health clinic or welfare food distribution centre;

“the Act” means the National Health Service Reorganisation Act 1973.

(2) In these regulations, unless the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended, extended or applied by or under any other enactment or by these regulations.

(3) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(b) shall apply for the purposes of the interpretation of these regulations as they apply for the purposes of the interpretation of an Act of Parliament.

*Designation of a facility under section 2 of the Act*

3. The sale by area health authorities in clinics or centres of goods appropriate to promotion of the health of expectant and nursing mothers and young children is hereby designated as a facility provided in pursuance of section 2(2)(d) of the Act.

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(a) 1973 c. 32.

(b) 1889 c. 63.

*Making and recovery of charges*

4. A clinic or centre shall make and recover charges for the sale of goods mentioned in the foregoing regulation and each such charge in respect of an article shall be a sum of money equal to the cost price of that article to the area health authority plus a sum in respect of handling charges of ten per cent of the cost price, but so that such charge shall be calculated to the nearest half penny:

Provided that where any of the said goods are of a class in respect of which the Restrictive Practices Court has made an order directing them to be exempt for the purposes of the Resale Prices Act 1964(a) as it applies to persons other than the Crown a charge may be made for the goods in accordance with an agreement between the area health authority and the supplier of the goods thereto notwithstanding that the charge is higher than that mentioned in the foregoing provisions of this regulation.

*Revocation*

5. The Sale of Goods at Maternity and Child Health Clinics (Designation and Charging) Regulations 1974(b) are hereby revoked.

*Barbara Castle,*  
Secretary of State for Social Services.

24th March 1976.

*John Morris,*  
Secretary of State for Wales.

26th March 1976.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations revoke and supersede the Sale of Goods at Maternity and Child Health Clinics Designation and Charging Regulations 1974. They designate the sale by area health authorities in their maternity and/or child health clinics or welfare food distribution centres of goods suitable for expectant and nursing mothers and young children as a facility under section 2(2)(d) of the National Health Service Reorganisation Act 1973. The Regulations also provide for the making and recovery of charges for the goods.

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(a) 1964 c. 58.

(b) S.I. 1974/465 (1974 I, p. 1621).



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