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STATUTORY INSTRUMENTS

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**1988 No. 365 (S.37)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1988**

<i>Made</i>	- - - -	<i>1st March 1988</i>
<i>Laid before Parliament</i>		<i>11th March 1988</i>
<i>Coming into force</i>	- -	<i>1st April 1988</i>

The Secretary of State, in exercise of the powers conferred on him by sections 69(1) and (2), 75(a) and 108(1) of the National Health Service (Scotland) Act 1978 (1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1988 and shall come into force on 1st April 1988.

(2) In these Regulations “the principal Regulations” means the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980 (2).

**Amendment of the principal Regulations**

2. In regulations 3(1)(b), 3(4), 4(1)(b) and 5(1)(b) of the principal Regulations (which are concerned with supply of drugs and appliances by chemists, by doctors and to out-patients) (3) for the reference to “£2.40”, wherever it appears, there shall be substituted a reference to “£2.60”.

3. In regulation 7(1) of the principal Regulations (exemptions) after sub-paragraph (a) there shall be added the following sub-paragraph:—

“(aa) a person who has not attained the age of 19 years and is receiving qualifying full time education within the meaning of paragraph 7 of Schedule 11 to the Act (4);”.

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(1) 1978 c. 29; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.  
(2) S.I. 1980/1674; relevant amending instruments are S.I. 1983/334 and 1172, 1984/292, 1985/353, and 1987/367  
(3) Regulations 3, 4 and 5 were last amended by S.I. 1987/367  
(4) Schedule 5 to the Health Service Act 1980 (c. 53)

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4. In regulation 9(5) of the principal Regulations (pre-payment certificates) (5) for the reference to “£12.50” there shall be substituted a reference to “£13.50”, and for the reference to “£35.00” there shall be substituted a reference to “£37.50”.

5. For Schedule 1 to the principal Regulations (6), there shall be substituted the following Schedule:—

“SCHEDULE 1

Regulations 3, 4 and 5

CHARGES FOR ELASTIC HOSIERY

<i>Column 1</i>	<i>Column 2</i>
<i>Specified appliance</i>	<i>Specified charge</i>
Above knee stocking, below knee stocking or high stocking	£2.60 each (ie £5.20 per pair)

6. For Schedule 1A to the principal Regulations (7), there shall be substituted the following schedule:—

“SCHEDULE 1A

Regulation 5

<i>Column 1</i>	<i>Column 2</i>
<i>Specified appliance</i>	<i>Specified charge</i>
Tights (per pair)	£5.20

### Application

7. These Regulations shall apply only where drugs and appliances are supplied after 31st March 1988 except that regulation 3 shall apply where the application referred to in regulation 9(1) of the principal Regulations is received after 31st March 1988.

### Revocations

8. The Regulations specified in column (1) of the Schedule to these Regulations are revoked to the extent specified in column (3) of that Schedule.

New St Andrew’s House,  
Edinburgh  
1st March 1988

*Michael B Forsyth*  
Parliamentary Under Secretary of State, Scottish  
Office

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(5) Regulation 9 was last amended by S.I. [1987/367](#)

(6) Schedule 1 was last amended by S.I. [1987/367](#)

(7) Schedule 1A was last amended by S.I. [1987/367](#)

## SCHEDULE

Regulation 8

## REVOCATIONS

<i>Column (1)</i> <i>Regulations revoked</i>	<i>Column (2)</i> <i>References</i>	<i>Column (3)</i> <i>Extent of revocation</i>
The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1983	S.I.1983/334	regulations 2, 5 and 6
The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1984	S.I. 1984/292	regulations 2, 4, 5, 6 and 7
The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1985	S.I. 1985/353	regulations 2, 3, 5, 6 and 7
The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1986	S.I. 1986/448	The Whole Regulations
The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1987	S.I. 1987/367	regulations 2, 3, 4 and 5

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

These Regulations amend the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1980 (“the principal Regulations”). They increase the charges specified for the supply of drugs and appliances and elastic hosiery under the National Health Service (Scotland) Act 1978.

The charge for most items on prescription or supplied to an out-patient is increased from £2.40 to £2.60. The charge for an elastic stocking is increased from £2.40 to £2.60, and for tights from £4.80 to £5.20 per pair. The sums prescribed for pre-payment certificates of exemption from prescription charges are increased from £12.50 to £13.50 for a four month certificate, and from £35.00 to £37.50 for a twelve month certificate.

Regulation 3 adds those persons who have not attained the age of 19 and are in qualifying full time education to the list of those persons exempt under regulation 7 of the principal Regulations from payment of prescription charges.

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Regulation 8 revokes Regulations which prescribed the amount of charges in previous years but which are now superseded.