
STATUTORY INSTRUMENTS

1991 No. 556

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service
(Indicative Amounts) Regulations 1991**

<i>Made</i>	- - - -	<i>8th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for Health, in exercise of powers conferred by sections 126(4) and 128(1) of the National Health Service Act 1977(1) and section 18(6) and (7) of the National Health Service and Community Care Act 1990(2), 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 (Indicative Amounts) Regulations 1991 and shall come into force on 1st April 1991.

(2) In these Regulations, unless the context otherwise requires—

“the Act” means the National Health Service and Community Care Act 1990;

“the Drug Tariff” means the statement published and from time to time amended under regulation 28 of the National Health Service (General Medical and Pharmaceutical Services) Regulations 1974(3);

“listed appliance” means an appliance which is included in a list for the time being approved by the Secretary of State for the purposes of section 41 of the National Health Service Act 1977;

“manufacturer’s list price” means the price the manufacturer of a drug or medicine or his agent from time to time publishes as being the price of that drug or medicine;

(1) 1977 c. 49; section 126(4) was amended by section 65(2) of the National Health Service and Community Care Act 1990 (“the 1990 Act”); section 128(1) was amended by section 26(2) of the 1990 Act and is cited for the definition of “regulations”.
(2) 1990 c. 19.
(3) S.I. 1974/160; regulation 28 was amended by S.I. 1985/955.

Basic price of drugs, medicines and listed appliances

2.—(1) For the purposes of section 18 of the Act (indicative amounts for doctors' practices), the basic price of a drug, medicine or listed appliance shall be calculated in accordance with the following paragraphs of this regulation.

(2) Where the name of a drug or medicine is listed in the Drug Tariff in a list which specifies a price for a specified quantity of that drug or medicine, the basic price of that drug or medicine shall be the price so specified on the date on which the drug or medicine is supplied.

(3) Where the name of a drug or medicine is not listed in the Drug Tariff the basic price of that drug or medicine shall be the manufacturer's list price on the date the drug or medicine is supplied.

(4) The basic price of a listed appliance shall be the price of the appliance listed in the Drug Tariff on the date the appliance is supplied.

Application of section 18 of the Act to practices with members on the list of a Health Board

3. In relation to a practice of which a member is on the medical list of a Health Board as well as on that of a Family Health Services Authority, section 18 of the Act shall operate subject to the modification that at the end of subsection (2) there shall be added the words

“or with respect to a practice where—

- (a) at least one member of the practice is on the medical list of a Health Board as well as on that of a Family Health Services Authority, and
- (b) more patients on the lists of the members of the practice reside in Scotland than in England”.

Signed by the authority of the Secretary of State for Health.

8th March 1991

Virginia Bottomley
Minister of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations—

(1) make provision for the calculation of the basic price of drugs, medicines and listed appliances for the purposes of enabling Family Health Services Authorities to specify indicative amounts for doctors' practices (regulation 2), and

(2) provide that section 18 of the National Health Service and Community Care Act 1990 (which requires Family Health Services Authorities to specify indicative amounts for doctors' practices) shall not apply to doctors' practices where the majority of the patients of the practice reside in the area of a Health Board (regulation 3).

An indicative amount is an amount of money representing the basic price of the drugs, medicines and listed appliances which a Family Health Services Authority considers it is reasonable to expect will be supplied in a year pursuant to orders given by or on behalf of doctors' practices.

The Drug Tariff referred to in the Regulations is sent free of charge to all persons on the medical and pharmaceutical lists of a Family Health Services Authority and can be obtained from HMSO.