
STATUTORY INSTRUMENTS

1995 No. 643

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (Charges for Drugs
and Appliances) Amendment Regulations 1995**

<i>Made</i>	- - - -	<i>8th March 1995</i>
<i>Laid before Parliament</i>		<i>9th March 1995</i>
<i>Coming into force</i>	- -	<i>1st April 1995</i>

The Secretary of State for Health, in exercise of powers conferred on her by section 77 and 126(4) of the National Health Service Act 1977(1) and of all other powers enabling her 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) Amendment Regulations 1995 and shall come into force on 1st April 1995.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Charges for Drugs and Appliances) Regulations 1989(2).

Amendment of amounts specified in the principal Regulations

2. For each amount specified in column (3) of the Schedule to these Regulations, where it appears in the provision of the principal Regulations specified in relation to it in column (1) the subject matter of which is indicated in column (2), there shall be substituted the amount specified in relation to it in column (4).

Amendment of regulation 8 of the principal Regulations

3.—(1) Regulation 8 of the principal Regulations (pre-payment certificates) shall be amended as follows.

(2) For paragraph (6) there shall be substituted the following paragraph—

(1) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 126(4) was amended by the 1990 Act, section 65(2).

(2) S.I. 1989/419, amended by S.I. 1990/537, 1991/579, 1992/365, 1993/420, 1994/690 and 1994/2402.

“(6) Where payment of a prescribed sum has been made under this regulation and, not more than one month after the date of which his pre-payment certificate became valid, the person in respect of whom payment was made—

- (a) becomes a person to whom any of the provisions of regulations 6(1)(b) to (f) applies; or
- (b) becomes a person entitled to remission under regulation 3 of the Travelling Expenses and Remission of Charges Regulations; or
- (c) dies; or
- (d) becomes resident in a hospital and thereafter either—
 - (i) dies while resident in hospital before the expiry of the pre-payment certificate; or
 - (ii) remains in hospital until the expiry of the pre-payment certificate, an application for repayment of that sum may be made, by or on behalf of that person or his estate, in accordance with paragraphs (7) and (8).”.

(3) After paragraph (7) there shall be inserted the following paragraph—

- “(8) An application under paragraph (6) shall be made—
- (a) in a case falling within paragraph (6)(a), (b) or (c), not more than four months after the date on which the pre-payment certificate became valid;
 - (b) in a case falling within paragraph (6)(d)(i), not more than three months after the date of death; or
 - (c) in a case falling within paragraph (6)(d)(ii), not more than three months after the date on which the pre-payment certificate expired.”.

Transitional provisions

4. Where, on or after 1st April 1995—

- (a) any appliance specified in Schedule 1 to the principal Regulations is supplied pursuant to an order given before that date; or
- (b) any pre-payment certificate is granted under regulation 8 of the principal Regulations pursuant to an application under that regulation which was received before that date,

the principal Regulations shall have effect in relation to that supply or, as the case may be, that grant as if regulation 2 of these Regulations had not come into force.

Signed by authority of the Secretary of State for Health.

8th March 1995

Gerald Malone
Minister of State,
Department of Health

SCHEDULE

Regulation 2

AMOUNTS SUBSTITUTED IN THE PRINCIPAL REGULATIONS

(1) Provision in the principal Regulations	(2) Subject matter	(3) Old amount	(4) New amount
Regulation 3—	Supply of drugs and appliances by chemists—		
paragraph (1)(a)	charge for elastic hosiery—		
	per item	£4.75	£5.25
	per pair	£9.50	£10.50
paragraph (1)(c)	charge for drugs, and for appliances not specified in paragraph 1(a)	£4.75	£5.25
paragraph (3)	charge for drugs supplied by instalments	£4.75	£5.25
Regulation 4—	Supply of drugs and appliances by doctors—		
paragraph 1(a)	charge for elastic hosiery—		
	per item	£4.75	£5.25
	per pair	£9.50	£10.50
paragraph 1(b)	charge for drugs, and for appliances not specified in paragraph 1(a)	£4.75	£5.25
paragraph (3) charge for drugs supplied by instalments	£4.75	£5.25	
Regulation 5—	Supply of drugs and appliances to out- patients by health authorities and NHS trusts—		
paragraph (1)(a)	charge for elastic hosiery—		
	per item	£4.75	£5.25
	per pair	£9.50	£10.50

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(1) Provision in the principal Regulations	(2) Subject matter	(3) Old amount	(4) New amount
paragraph (1)(c)	charge for tights	£9.50	£10.50
paragraph (1)(d)	charge for drugs and for appliances not 20 specified in paragraph (1)(a) or (c), or in Schedule 1	£4.75	£5.25
paragraph (3)	charge for drugs supplied by instalments	£4.75	£5.25
Regulation 8 (5)	Pre-payment certificate for—		
	4 months	£24.60	£27.20
	12 months	£67.70	£74.80
Schedule 1—	Charges for fabric supports and wigs—		
	surgical brassiere	£18.50	£19.00
	abdominal or spinal support	£24.50	£27.00
	stock modacrylic wig	£40.00	£44.00
	partial human hair wig	£104.00	£115.00
	full bespoke human hair wig	£151.00	£167.00

EXPLANATORY NOTE

(This note is not part of the Regulation)

These Regulations further amend the National Health Service (Charges for Drugs and Appliances) Regulations 1989 (“the principal Regulations”) which provide for the making and recovery of charges for drugs and appliances supplied by doctors and chemists providing pharmaceutical services, and by health authorities and NHS trusts to out-patients.

Amendments made to the principal Regulations by regulation 2 and the Schedule, increase the charge for items on prescription or supplied to out-patients from £4.75 to £5.25. The charge for elastic stockings is increased from £4.75 to £5.25 each (from £9.50 to £10.50 per pair) and that for tights from £9.50 to £10.50. The charges for partial human hair wigs and modacrylic wigs are increased from £104.00 to £115.00 and from £40.00 to £44.00 respectively. The charge for full human hair wigs is increased from £151.00 to £167.00. The charge for fabric supports is increased

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from £24.50 to £27.00 and the charge for surgical brassieres is increased from £18.50 to £19.00. The sums prescribed for the grant of pre-payment certificates are increased from £24.60 to £27.20 for a four month certificate and from £67.70 to £74.80 for a twelve month certificate.

These Regulations also make transitional arrangements in regulation 5 in respect of pre-payment certificates and appliances ordered before the coming into force of these Regulations.

Regulation 3 extends the entitlement for a refund of pre-payment certificate fees to those entitled to remission of charges and in certain circumstances to in-patients in hospital and introduces time limits within which an application for a refund must be made.