
STATUTORY INSTRUMENTS

2000 No. 620

The National Health Service (Charges for Drugs and Appliances) Regulations 2000 (revoked)

Exemptions

- 7.—(1) Subject to paragraph (3), no charge shall be payable under regulations [^{F1}3, 4, 6 or 6A] by—
- (a) a person who is under 16 years of age;
 - (b) a person who is under 19 years of age and is receiving qualifying full-time education within the meaning of paragraph 7 of Schedule 12 to the Act;
 - (c) a person who has attained the age of 60 years;
 - (d) a woman with a valid exemption certificate issued by [^{F2}the Secretary of State] on the ground that she is an expectant mother or has within the last twelve months given birth to a live child or a child registrable as still-born under the Births and Deaths Registration Act 1953 ^{M1} or with a valid exemption certificate issued under equivalent arrangements having effect in Scotland, Wales or Northern Ireland;
 - (e) a person with a valid exemption certificate issued by [^{F3}the Secretary of State] on the ground that he is suffering from one or more of the following conditions—
 - (i) permanent fistula (including caecostomy, colostomy, laryngostomy or ileostomy) requiring continuous surgical dressing or an appliance;
 - (ii) the following disorders—
 - forms of hypoadrenalism (including Addison's disease) for which specific substitution therapy is essential
 - diabetes insipidus and other forms of hypopituitarism
 - diabetes mellitus—except where treatment is by diet alone
 - hypoparathyroidism
 - myasthenia gravis
 - myxoedema
 - (iii) epilepsy requiring continuous anti-convulsive therapy;
 - (iv) a continuing physical disability which prevents the patient from leaving his residence without the help of another person;or by a person with a valid exemption certificate issued under equivalent arrangements having effect in Scotland, Wales or Northern Ireland;
- [^{F4}(ea) a person with a valid exemption certificate issued by the Secretary of State on the ground that the person is undergoing treatment for—
- (i) cancer;
 - (ii) the effects of cancer, or
 - (iii) the effects of cancer treatment,

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where the certificate is used in respect of drugs or appliances which are supplied on or after 1st April 2009;

- (eb) a person with a valid exemption certificate issued on any of the grounds in subparagraph (ea) under equivalent arrangements which have effect in Scotland, Wales or Northern Ireland where the certificate is used in respect of drugs or appliances which are supplied on or after 1st April 2009;]
 - (f) a person with a valid exemption certificate issued by the Secretary of State in respect of the supply of drugs and appliances for the treatment of accepted disablement, but in either case only in respect of those supplies to which the certificate relates;
 - (g) a person with a valid pre-payment certificate or with a valid pre-payment certificate granted under equivalent arrangements having effect in Scotland, Wales or Northern Ireland.
- (2) Subject to paragraph (3), no charge shall be payable under regulation 5—
- (a) in respect of the supply of an appliance specified in column (1) of Schedule 1 by a person of a description specified in paragraph (1)(f);
 - (b) in respect of the supply of an appliance not so specified or of tights or of drugs, by a person of a description specified in any of subparagraphs (c) to (g) of paragraph (1).
- (3) ^{F5}Subject to paragraph (3A)] a person who wishes to claim entitlement to exemption under paragraph (1) or (2) shall provide any declaration of entitlement required under regulations 3(3) or 4(3) and any declaration or evidence of entitlement required under regulations ^{F6}5(3), 6(3) or 6A(3)].
- ^{F7}(3A) A person who falls within paragraph (1)(a) or (c) shall not be required to provide any declaration of entitlement required under regulations 3(3) or 4(3) where—
- (a) an electronic prescription form or an electronic repeatable prescription is issued and the person's date of birth is recorded on the person's NHS Care Record and is set out on the electronic prescription form or electronic repeatable prescription; or
 - (b) a non-electronic prescription form or a non-electronic repeatable prescription is issued and the person's date of birth is printed by means of computer on the non-electronic prescription form or non-electronic repeatable prescription.]
- (4) A charge referred to in column (1) of Schedule 1 shall, in the case of a person referred to in ^{F8}regulation 6 of the Travel Expenses and Remission of Charges Regulations], be remitted to the extent specified in that regulation.
- (5) Where a charge is remitted in part under paragraph (4) the person making the part payment shall on doing so sign a declaration in writing that the relevant part of the charge has been paid and complete a declaration of entitlement, and provide such other evidence of entitlement, to partial remission as may be required.
- (6) An exemption by reference to age or the validity of an exemption certificate shall be determined by reference to the age or validity on the day on which—
- (a) in the case of pharmaceutical services ^{F9}or local pharmaceutical services] provided by a chemist, the order for drugs or appliances is presented for dispensing;
 - (b) in any other case, the drugs or appliances are supplied.
- ^{F10}(7) Where a claim to exemption has been made but is not substantiated, and in consequence of the claim a charge has not been recovered—
- (a) if the drugs or appliances were supplied by an NHS Trust ^{F11}or NHS foundation trust], then that NHS Trust ^{F11}or NHS foundation trust] shall recover that charge from the person concerned; or

- (b) if the drugs or appliances were supplied by—
- (i) a Primary Care Trust,
 - (ii) a chemist on a Primary Care Trust’s list; or
 - (iii) a chemist who has entered into an agreement with a Primary Care Trust to provide local pharmaceutical services,
- then that Primary Care Trust shall recover that charge from the person concerned.]

Textual Amendments

- F1** Words in reg. 7(1) substituted (11.12.2000) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment \(No. 2\) Regulations 2000 \(S.I. 2000/3189\)](#), regs. 1(1), **4(a)**
- F2** Words in reg. 7(1)(d) substituted (1.10.2002) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment \(No. 3\) Regulations 2002 \(S.I. 2002/2352\)](#), regs. 1(1), **7(a)**
- F3** Words in reg. 7(1)(e) substituted (1.10.2002) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment \(No. 3\) Regulations 2002 \(S.I. 2002/2352\)](#), regs. 1(1), **7(a)**
- F4** Reg. 7(1)(ea)(eb) inserted (9.2.2009) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment Regulations 2009 \(S.I. 2009/29\)](#), regs. 1(1), **2**
- F5** Words in reg. 7(3) inserted (1.4.2005) by [The National Health Service \(Charges for Drugs and Appliances\) and \(Travel Expenses and Remission of Charges\) Amendment Regulations 2005 \(S.I. 2005/578\)](#), regs. 1(1), **11(2)**
- F6** Words in reg. 7(3) substituted (11.12.2000) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment \(No. 2\) Regulations 2000 \(S.I. 2000/3189\)](#), regs. 1(1), **4(b)**
- F7** Reg. 7(3A) inserted (1.4.2005) by [The National Health Service \(Charges for Drugs and Appliances\) and \(Travel Expenses and Remission of Charges\) Amendment Regulations 2005 \(S.I. 2005/578\)](#), regs. 1(1), **11(3)**
- F8** Words in reg. 7(4) substituted (1.4.2005) by [The National Health Service \(Charges for Drugs and Appliances\) and \(Travel Expenses and Remission of Charges\) Amendment Regulations 2005 \(S.I. 2005/578\)](#), regs. 1(1), **11(4)**
- F9** Words in reg. 7(6)(a) inserted (1.10.2002) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment \(No. 3\) Regulations 2002 \(S.I. 2002/2352\)](#), regs. 1(1), **7(b)**
- F10** Reg. 7(7) substituted (1.10.2002) by [The National Health Service \(Charges for Drugs and Appliances\) Amendment \(No. 3\) Regulations 2002 \(S.I. 2002/2352\)](#), regs. 1(1), **7(c)**
- F11** Words in reg. 7(7) inserted (1.4.2004) by [The Health and Social Care \(Community Health and Standards\) Act 2003 \(Supplementary and Consequential Provision\) \(NHS Foundation Trusts\) Order 2004 \(S.I. 2004/696\)](#), arts. 1(1)(b), 3(2), **Sch. 2**

Marginal Citations

- M1** 1953 c. 20.

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Changes to legislation:

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