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STATUTORY INSTRUMENTS

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**2009 No. 29**

**The National Health Service (Charges for Drugs and Appliances) Amendment Regulations 2009**

**Amendment of regulation 8 of the principal Regulations**

**3.—(1)** Regulation 8 of the principal Regulations (certificates of exemption – application and issue) is amended as follows.

(2) Substitute the following paragraph for paragraph (1)—

“**8.—(1)** A person who wishes to claim exemption under the provisions of regulation 7(1)(d), (e), (ea) or (f) shall apply for a certificate conferring exemption (in these Regulations referred to as an “exemption certificate”) as follows—

- (a) a claim for an exemption under regulation 7(1)(d) shall be made to the Secretary of State on a form supplied by the Secretary of State;
- (b) a claim for an exemption under regulation 7(1)(e) or (ea) shall be made to the Secretary of State on form “FP92A – 1 January 2009” supplied by the Secretary of State; and
- (c) a claim for an exemption under regulation 7(1)(f) shall be made to an office of the Ministry of Defence on a form supplied by the Secretary of State.”.

(3) After paragraph (3) insert the following paragraph—

“(3A) Where Secretary of State is satisfied that an applicant is not a person entitled to exemption under the provisions of regulation 7(1)(a), (b), (c) or (e) but is a person entitled to exemption under the provisions of regulation 7(1)(ea)—

- (a) the Secretary of State shall issue to the applicant an exemption certificate which shall be valid from 1st April 2009 or, if the application made under paragraph (1) is received after 1st May 2009, the date one month prior to the date on which the Secretary of State received the application; and
- (b) such a certificate shall be valid for such period which begins on or after 1st April 2009 as the Secretary of State may determine.”.