

**2009 No. 3030**

**NATIONAL HEALTH SERVICE, ENGLAND AND  
WALES**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**HEALTH AND PERSONAL SOCIAL SERVICES,  
NORTHERN IRELAND**

**The Health Service Branded Medicines (Control of Prices and  
Supply of Information) Amendment Regulations 2009**

*Made* - - - - *16th November 2009*

*Laid before Parliament* *19th November 2009*

*Coming into force* - - *1st January 2010*

The Secretary of State for Health makes the following Regulations in exercise of the powers in sections 262(1), 263(1), 266(1) and 272(7) of the National Health Service Act 2006(a).

The Secretary of State has consulted in accordance with sections 262(1) and 263(1) of that Act.

**Citation and commencement**

1. These Regulations may be cited as the Health Service Branded Medicines (Control of Prices and Supply of Information) Amendment Regulations 2009 and shall come into force on 1st January 2010.

**Amendment of the Health Service Branded Medicines (Control of Prices and Supply of Information) (No. 2) Regulations 2008**

2. In regulation 2 of the Health Service Branded Medicines (Control of Prices and Supply of Information) (No. 2) Regulations 2008(b), in paragraphs (1) and (2), for “3.9 per cent” substitute “5.8 per cent”.

Signed by authority of the Secretary of State for Health

16th November 2009

*Gillian Merron*  
Minister of State,  
Department of Health

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(a) 2006 c.41.  
(b) S.I. 2008/3258.

## EXPLANATORY NOTE

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

These Regulations, which apply to the United Kingdom, amend regulation 2 of the Health Service Branded Medicines (Control of Prices and Supply of Information) (No.2) Regulations 2008 (“the 2008 Regulations”).

Regulation 2 of those Regulations specifies the maximum price which may be charged for the presentation of a branded medicine which is supplied for health service purposes, unless the medicine falls within a voluntary scheme for limiting prices or profits or the price is determined under the other provisions of the Regulations. The amendment provides that the maximum price of a presentation is calculated by deducting 5.8 % (instead of 3.9 %) from the price for which that presentation was on sale for health service purposes in England on 1st December 2008. The amendment mirrors a change to the Pharmaceutical Price Regulation Scheme 2009 (available at [www.dh.gov.uk](http://www.dh.gov.uk)), which also has effect on 1st January 2010.

An Impact Assessment has been prepared and is available at [www.dh.gov.uk](http://www.dh.gov.uk). Copies may also be obtained from the Department of Health, Zone 456D, Skipton House, 80 London Road, London SE1 6LH.

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