
STATUTORY INSTRUMENTS

2015 No. 570

**The National Health Service (Charges for
Drugs and Appliances) Regulations 2015**

Supply of drugs and appliances by chemists

3.—(1) Except as provided in paragraph (2), a chemist who provides pharmaceutical services or local pharmaceutical services to a patient must, subject to paragraphs (5) to (7), make and recover from that patient for the supply of—

- (a) an item of elastic hosiery, a charge of £8.20 or £16.40 per pair;
- (b) each other appliance, a charge of £8.20;
- (c) each quantity of a drug, a charge of £8.20.

(2) A chemist who provides repeat dispensing services to a patient must, subject to paragraphs (5) to (7), make and recover from that patient in respect of each batch issue and each electronic prescription form for the supply of—

- (a) an item of elastic hosiery, a charge of £8.20 or £16.40 per pair;
- (b) each other appliance, a charge of £8.20;
- (c) each quantity of a drug, a charge of £8.20.

(3) Where a charge is paid under paragraph (1), the person paying the charge must on doing so either—

- (a) where a non-electronic prescription form has been issued, sign a declaration in writing on the non-electronic prescription form that the relevant charge has been paid; or
- (b) where an electronic prescription form has been created, provide a declaration that the relevant charge has been paid on an approved form provided by the Board for recording patient declarations in respect of electronic prescription forms and issued by a chemist.

(4) Where a charge is paid under paragraph (2), the person paying the charge must on doing so either—

- (a) in respect of a batch issue, sign a declaration in writing on the batch issue that the relevant charge has been paid; or
- (b) in respect of an electronic repeatable prescription, provide a declaration that the relevant charge has been paid on an approved form provided by the Board for recording patient declarations in respect of electronic repeatable prescriptions and issued by a chemist.

(5) No charge is to be made and recovered under paragraph (1) or paragraph (2) where—

- (a) there is an exemption by virtue of regulation 10(1) and, subject to regulation 10(5), a declaration of entitlement to an exemption is duly completed by or on behalf of the patient—
 - (i) in cases involving a batch issue referred to in paragraph (2), on the batch issue at the time that the drug or appliance is supplied,

- (ii) in cases involving an electronic repeatable prescription referred to in paragraph (2) on an approved form provided by the Board for recording patient declarations in respect of electronic repeatable prescriptions and issued by a chemist,
 - (iii) in cases involving an electronic prescription form, on an approved form provided by the Board for recording patient declarations in respect of electronic prescription forms and issued by a chemist, or
 - (iv) in all other cases, on the non-electronic prescription form;
- (b) there is entitlement to remission of the charge by virtue of regulation 5 of the Travel Expenses and Remission of Charges Regulations⁽¹⁾ (entitlement to full remission and payment) and a declaration of entitlement to remission is duly completed by or on behalf of the patient either—
- (i) in cases involving a batch issue referred to in paragraph (2), on the batch issue at the time that the drug or appliance is supplied,
 - (ii) in cases involving an electronic repeatable prescription referred to in paragraph (2), on an approved form provided by the Board for recording patient declarations in respect of electronic repeatable prescriptions and issued by a chemist,
 - (iii) in cases involving an electronic prescription form, on an approved form provided by the Board for recording patient declarations in respect of electronic prescription forms and issued by a chemist, or
 - (iv) in all other cases, on the non-electronic prescription form; or
- (c) the patient is resident in a school or institution, the name of which is inserted on the non-electronic prescription form by a prescriber under the term of an arrangement to provide primary medical services under section 83(2) of the 2006 Act⁽²⁾ (primary medical services).
- (6) No charge is to be made and recovered under paragraph (1) or (2) where there is an exemption by virtue of section 173(1)(d) of the 2006 Act⁽³⁾ (exemptions from general charging) or regulation 10(2), 11, 12, 13 or 14.
- (7) For the purposes of this regulation, where a drug ordered on a single prescription form is supplied by instalments, the charge of £8.20 payable for that drug is payable on the supply of the first instalment.
- (8) A chemist is under no obligation to supply drugs or appliances in the course of providing pharmaceutical services or local pharmaceutical services where a charge is required to be made and recovered under paragraphs (1) or (2) unless the patient first pays that charge (notwithstanding any provisions in the chemist's terms of service).
- (9) Where a patient requests a receipt for a charge made and recovered under paragraph (1) or (2), the chemist must give the patient a receipt for the amount received on the relevant approved form.
- (10) Any sum which would otherwise be payable by the Board to a chemist in respect of the provision by that chemist of pharmaceutical services or local pharmaceutical services is to be reduced by the amount of any charges which must be made and recovered under paragraph (1) or (2).
- (11) In paragraph (8), “terms of service” means the terms on which pharmaceutical services or local pharmaceutical services are provided under the 2006 Act.

(1) Relevant amendments were made to regulation 5 by [S.I. 2004/663](#) and [936](#), [2006/562](#), [2008/1697](#), [2009/411](#), [2013/475](#) and [2014/2667](#).

(2) Subsection (2) was substituted by the Health and Social Care Act 2012 (c. 7), Schedule 4, paragraph 30.

(3) Subsection (1) has been amended by the Health Act 2009 (c. 21), Schedule 1, paragraphs 6 and 7(c).