
STATUTORY INSTRUMENTS

2020 No. 258

**The Branded Health Service Medicines
(Costs) (Amendment) Regulations 2020**

Amendment of the Branded Health Service Medicines (Costs) Regulations 2018

2.—(1) The Branded Health Service Medicines (Costs) Regulations 2018(1) are amended as follows.

(2) In regulation 3 (payment scheme)—

(a) in paragraph (1)—

- (i) for “paragraphs (4) and (5A)” substitute “paragraphs (1B), (4) and (5A)”; and
- (ii) in paragraph (1), for the table substitute the following table—

“Table

<i>Applicable Period</i>	<i>Payment Percentage</i>
1st April 2020 to the end of 2020	7.4%
2021 and any subsequent calendar year	10.9%”

(b) after paragraph (1A), insert the following paragraphs—

“(1B) Where paragraph (1C) applies, the payment percentage referred to in paragraph (1) for the period beginning on 1st April 2020 to the end of 2020 is 5.0% and not 7.4%.

(1C) This paragraph applies in the case of all the payments payable under paragraph (1) by a manufacturer or supplier, in respect of supplies during the period beginning on 1st April 2020 to the end of 2020 if, in respect of any supply of an item of presentation of that manufacturer or supplier—

- (a) a payment was payable under paragraph (1) in respect of that supply during the period beginning on 1st January 2020 and ending at the end of 31st March 2020; and
- (b) the applicable payment percentage was 14.7%.”.

(3) In regulation 4 (direction to make a payment)—

- (a) in paragraph (2)(b), for “regulation 3(1) or (5A)” substitute “regulation 3(1), (1B) or (5A)”; and
- (b) in paragraph (3)(c), for “regulation 3(1) or (5A)” substitute “regulation 3(1), (1B) or (5A)”.