

SCHEDULE 1

Regulation 12

Transitional Provisions

Repayment of charges

1.—(1) Where a charge has been paid under the Charges Regulations 2001 by or on behalf of a person who was at the time of payment exempt from the requirement to pay that charge under regulation 8 of those Regulations, an application for repayment of that charge may be made in accordance with paragraph (2) by or on behalf of that person.

(2) The application for repayment must —

- (a) be made to the person or body specified in the receipt which is given under regulation 3(8), 4(6), 5(6), 6(5) or 7(5) of the Charges Regulations 2001 as being the person or body to whom application for repayment of charges is to be made;
- (b) be made in such form and manner as the National Assembly may determine for the applicant, any class of applicant or applicants generally;
- (c) be made within 3 months from the date on which the drug or appliance was supplied to the applicant or within such period as the National Assembly may, for good cause, allow;
- (d) be accompanied by the receipt for the charge paid and a declaration as to the grounds of exemption.

(3) In the case of a charge under regulation 5 in respect of an appliance specified in column (1) of Schedule 1 to the Charges Regulations 2001, regulation 11(3) of the Charges Regulations 2001 applies.

(4) Arrangements made by the National Assembly for the repayment of any charge paid under regulation 11(4) of the Charges Regulations 2001 by a person who is entitled to exemption continue to have effect for the purposes of paragraph 1.

Commencement Information

II Sch. 1 para. 1 in force at 1.4.2007, see **reg. 1(1)**

Pre payment Certificates

2.—(1) Where a person has obtained a pre-payment certificate by virtue of making any payment in accordance with regulation 10 of the Charges Regulations 2001, and the relevant period as defined by paragraph (3) is unexpired, an application for a refund may be made, by or on behalf of that person or his or her estate, in accordance with paragraph (4) in respect of each complete month following 1 April 2007.

(2) The refund referred to in paragraph (1) is calculable as follows—

- (a) in the case of a pre-payment certificate valid for 4 months, one quarter of the prescribed sum paid for each complete month during which the pre-payment certificate is or was valid;
- (b) in the case of a pre-payment certificate valid for 12 months one twelfth of the prescribed sum paid for each complete month during which the pre-payment certificate is or was valid;

and for the purposes of these calculations “complete month” means a month beginning on the monthly anniversary of the date upon which the pre-payment certificate became valid and ending on the date immediately preceding that date in the following month.

Changes to legislation: There are currently no known outstanding effects for the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007, SCHEDULE 1. (See end of Document for details)

(3) In paragraph (1) “the relevant period” means the period of validity of the pre-payment certificate excluding the month in respect of which an application for repayment under paragraph (1) may be made.

(4) Applications under this regulation must be made to the Local Health Board that received the prescribed sum under regulation 10 of the Charges Regulations 2001 and must be accompanied by the certificate (where granted) and a declaration in support of the claim, and the claim and any repayment must be made in such manner and subject to such conditions as the National Assembly may determine.

Commencement Information

I2 Sch. 1 para. 2 in force at 1.4.2007, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007, SCHEDULE 1.