
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 55

NATIONAL HEALTH SERVICE

The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011

Made - - - - 31st January 2011
Laid before the Scottish Parliament - - - - 2nd February 2011
Coming into force - - 1st April 2011

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 17E, 17K, 17N, 17P, 25(2), 27, 28(1), 69, 75(a), 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(1) and all other powers enabling them to do so.

(1) 1978 c.29. Section 17E was inserted by the National Health Service (Primary Care) Act 1997 (c.46), (the “1997 Act”), section 22 and amended by the Health Act 1999 (c.8), (the “1999 Act”), Schedule 5, paragraph 1, the Primary Medical Services (Scotland) Act 2004 (asp 1) (the “2004 Act”) section 2 and by S.I. 2003/1250; sections 17K and 17N were inserted by the 2004 Act, section 4; Section 17P was inserted by the 2004 Act, section 5; section 25(2) was substituted by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), section 15; section 27 was amended by the Health Services Act 1980 (c.53); (the “1980 Act”), section 20, the National Health Service Amendment Act 1986 (c.66), (the “1986 Act”), the National Health Service and Community Care Act 1990 (c.19), (the “1990 Act”), section 66 and Schedule 19, paragraph 7, the Medicinal Products: Prescriptions by Nurses etc. Act 1992 (c.28), section 3, the 1997 Act, Schedule 2, paragraph 44 and the Health and Social Care Act 2001 (c.15), section 44 and by S.I. 1987/2202, 2003/1590, 2004/1771, 2005/2011 and 2010/231; section 28(1) was amended by the 1986 Act, section 3 and by the 2004 Act, schedule 1, paragraph 1; section 75A was inserted by the Social Security Act 1988 (c.7), section 14 and amended by the Health and Medicines Act 1988 (c.49), section 25, the 1990 Act, section 66 and Schedule 9, paragraph 19, the 1997 Act, Schedule 2 and by S.I. 1998/2385 and S.S.I. 2010/283; section 105 was amended by the 1980 Act, Schedule 6, paragraph 5 and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), section 29, Schedule 9, paragraph 24 and the 1999 Act, Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. See section 66(1) of the 1999 Act in relation to any provisions of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act 1998 (c.46) (“the 1998 Act”). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.