
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 55

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

Supply of drugs and appliances

3.—(1) A pharmacist who provides pharmaceutical services to a patient must not make or recover any charge from the patient, where the patient presents a Scottish prescription form or equivalent prescription form.

(2) Except as provided for in paragraph (3), a pharmacist who provides pharmaceutical services to a patient must, where the patient presents an English prescription form, make and recover from the patient—

- (a) in respect of the supply of an item of elastic hosiery, the charge that is specified in regulation 3(1)(a) of the 2000 Regulations as in force at 1st April 2011⁽¹⁾;
 - (b) in respect of the supply of each other appliance and each quantity of drug, the charge that is specified in regulation 3(1)(b) of the 2000 Regulations as in force at 1st April 2011⁽²⁾.
- (3) A pharmacist must not make or recover any charge specified in paragraph (2) where—
- (a) a declaration of entitlement to exemption on an English prescription form is duly completed and signed by or on behalf of the patient;
 - (b) the patient presents an English prescription form that relates to a supply, replacement or repair referred to in paragraph 1(1) of Schedule 11 to the Act (occasion where no charge is to be made) but only in respect of the supply, replacement or repair to which that paragraph relates; or
 - (c) the patient presents an English prescription form together with a valid entitlement card.

(4) Where a quantity of a drug ordered on an English prescription form is to be supplied in instalments during a period of not more than 14 days, only one charge is payable and it must be paid upon the supply of the first instalment.

(5) A pharmacist is under no obligation to provide pharmaceutical services in respect of an English prescription form unless the patient has paid the pharmacist any charge due to be paid under paragraph (2), or paragraph (3) applies.

(6) A pharmacist who makes and recovers a charge under paragraph (2) must, if required by the patient, give the patient a receipt for the amount paid, on a form provided for that purpose by the Health Board, which contains a declaration in support of an application for a refund.

(7) Any sum which a Health Board is under a duty to pay or cause to be paid to a pharmacist in respect of the provision of pharmaceutical services is reduced by the relevant sum specified in paragraph (2).

(1) The charge specified in regulation 3(1)(a) of the 2000 Regulations, as at 1st April 2011 is £7.40 that is to say £14.80 per pair.
(2) The charge specified in regulation 3(1)(b) of the 2000 Regulations, as at 1st April 2011 is £7.40.