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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 195**

**NATIONAL HEALTH SERVICE**

**The National Health Service (Free Prescriptions  
and Charges for Drugs and Appliances)  
(Scotland) Amendment Regulations 2016**

*Made* - - - - 7th June 2016  
*Laid before the Scottish  
Parliament* - - - - 9th June 2016  
*Coming into force* - - 16th September 2016

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 69 and 105(7) of the National Health Service (Scotland) Act 1978(1) and all other powers enabling them to do so.

**Citation and commencement**

1. These Regulations may be cited as the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2016 and come into force on 16th September 2016.

**Amendment of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011**

2.—(1) The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011(2) are amended as follows.

(2) In regulation 3(2) (supply of drugs and appliances), in each place where it occurs, for “1st April 2015” substitute “1st April 2016”.

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(1) 1978 c.29. Section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6 paragraph 5(1) and Schedule 7, the Health and Social Service and Social Security Adjudications Act 1983 (c.41), Schedule 9 paragraph 24 and the Health Act 1999 (c.8), Schedule 4 paragraph 60. Section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory power under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(2) S.S.I. 2011/55, as amended by S.S.I. 2015/160.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
7th June 2016

*SHONA ROBISON*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011 (“the principal Regulations”). The principal Regulations provide that where a person provides pharmaceutical services to a patient who presents an English prescription form, that person must make and recover from the patient the charges specified in the National Health Service (Charges for Drugs and Appliances) Regulations 2015 ([S.I. 2015/570](#)) as at a specified date, unless certain exemptions apply.

Regulation 2 updates the principal Regulations so that the charge to be made will reflect the rate applicable under those Regulations as at 1st April 2016. That applicable rate was amended by [S.I. 2016/325](#). Those Regulations specify the following charges:

- £8.40 per item, or £16.80 per pair, in relation to the supply of elastic hosiery;
- £8.40 in relation to the supply of any other appliance;
- £8.40 in relation to the supply of each quantity of a drug.