

1975 No. 1716 (S. 239)

NATIONAL HEALTH SERVICE, SCOTLAND

**The National Health Service (Charges for Drugs and Appliances)
(Scotland) Amendment (No. 2) Regulations 1975**

Made - - - - - 21st October 1975
Laid before Parliament 27th October 1975
Coming into Operation 17th November 1975

In exercise of the powers conferred on me by section 40 of the National Health Service (Scotland) Act 1947(a) (as amended by section 16 of the National Health Service (Amendment) Act 1949(b) and section 57 of and Schedule 4 to the National Health Service Reorganisation Act 1973(c) and section 1 of the National Health Service Act 1952(d) (as amended by section 64 of and Schedule 6 to the National Health Service (Scotland) Act 1972(e)), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment (No. 2) Regulations 1975 and shall come into operation on 17th November 1975.

Interpretation

2.—(1) In these regulations, “the principal regulations” means the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1974(f), as amended by the National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1974(g) and the National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1975(h).

(2) The Interpretation Act 1889(i) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

3. The principal regulations shall be amended as follows:—

(1) In regulation 7(1)—

(a) after “paragraphs 3,” there shall be inserted “4(1)(a),” and after “23(1)” there shall be inserted “23(1A) (as added by section 11 of and paragraph 4(2)(b) of Schedule 3 to the Social Security Benefits Act 1975)(j)”;

(a) 1947 c. 27.

(c) 1973 c. 32.

(e) 1972 c. 58.

(g) S.I. 1974/647 (1974 I, p. 2539).

(i) 1889 c. 63.

(b) 1949 c. 93.

(d) 1952 c. 25.

(f) S.I. 1974/508 (1974 I, p. 1934).

(h) S.I. 1975/695 (1975 I, p. 2525).

(j) 1975 c. 11.

(b) for sub-paragraph (a) there shall be substituted—

“(a) in sub-paragraph (1) (as amended by section 1(3)(a) of the Social Security Act 1971(a)) of paragraph 23 of the said Schedule 2 (which paragraph relates to the calculation of weekly earnings) for the amount specified in sub-paragraph (a) there were substituted the amount specified in sub-paragraph (b); and”;

(c) for sub-paragraphs (b)(ii) to (b)(iv) there shall be substituted—

“(ii) such amount in respect of mortgage repayments as is reasonable in the circumstances.”.

(2) For sub-paragraph (a) of regulation 7(2) there shall be substituted—

“(a) In determining what, if any, amount to allow under paragraph 4(1)(a) of the said Schedule 2 regard shall be had to the provisions made by paragraphs 8A(2) and 8A(3) (as added by section 6 of and paragraph 3 of Schedule 4 to the National Insurance and Supplementary Benefit Act 1973(b)) of that Schedule.”.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.

21st October 1975.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulation 1974 by increasing the amount by which earnings are to be disregarded in ascertaining entitlement to exemption on income grounds and adjusting the considerations to be applied to exceptional awards.

(a) 1971 c. 73.

(b) 1973 c. 42.

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