
STATUTORY INSTRUMENTS

1991 No. 579

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (Charges for Drugs
and Appliances) Amendment Regulations 1991**

<i>Made</i>	- - - -	<i>10th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for Health, in exercise of powers conferred by sections 77, 83A and 126(4) of, and paragraph 1 of Schedule 12 to, the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) Amendment Regulations 1991 and shall come into force on 1st April 1991.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Charges for Drugs and Appliances) Regulations 1989(2).

Amendment of the principal Regulations

2.—(1) In regulation 2(1) of the principal Regulations (interpretation), in the definition of “prescription form”, in sub-paragraph (a), after the words “health authority’s” there shall be inserted the words “or an NHS trust’s”(3).

(2) In regulation 5 of the principal Regulations (supply of drugs and appliances by health authorities)—

(a) in paragraph (1), after the words “health authority”, there shall be inserted the words “or an NHS trust”;

(1) 1977 c. 49; see section 128(1) for the definition of “prescribed” and “regulations”; section 83A was inserted by the Social Security Act 1988 (c. 7), section 14(1) (“the 1988 Act”), and amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 66(1) and Schedule 9, paragraph 18(5); section 126 was amended by the 1990 Act, section 65(2); Schedule 12, paragraph 1 was amended by the 1988 Act, Schedule 5.

(2) S.I. 1989/419; the relevant amending instrument is S.I. 1990/537.

(3) See, for definition of “an NHS trust”, section 128(1) of the National Health Service Act 1977 (c. 49) as amended by section 26(2)(d) of the National Health Service and Community Care Act 1990 (c. 19).

- (b) in paragraph (2)(b), after the words “health authority”, there shall be inserted the words “or the NHS trust”;
 - (c) in paragraph (4), after the words “health authority”, there shall be inserted the words “or an NHS trust”.
- (3) In regulation 6 of the principal Regulations (exemptions), in paragraph (5), for the words “or a health authority” and the words “or that health authority”, there shall be substituted respectively the words “, a health authority or a NHS trust” and the words “, that health authority or that NHS trust”.
- (4) In relation 9 of the principal Regulations (repayment of charges), in paragraph (3)—
- (a) after the words “health authority”, there shall be inserted the words “or the NHS trust”;
 - (b) in sub-paragraph (b), after the words “health authority”, there shall be inserted the words “or the NHS trust”.
- (5) For each amount specified in column (3) of the Schedule to these Regulations, where it appears in the provision of the principal Regulations specified in relation to it in column (1) (the subject matter of which is indicated in column (2)), there shall be substituted the amount specified in relation to it in column (4) of that Schedule.

Signed by authority of the Secretary of State for Health.

10th March 1991

Virginia Bottomley
Minister of State,
Department of Health

SCHEDULE

Regulation 2(5)

AMOUNTS SUBSTITUTED IN THE PRINCIPAL REGULATIONS

Column (1) Provision in the principal Regulations	Column (2) Subject matter	Column (3) Old amount	Column (4) New amount
Regulation 3—	Supply of drugs and appliances by chemists—		
paragraph (1)(a)	charge for elastic hosiery—		
	per item	£3.05	£3.40
	per pair	£6.10	£6.80
paragraph (1)(b)	monthly charge for oxygen concentrator	£3.05	£3.40
paragraph (1)(c)	charge for drugs, and for appliances not specified in sub- paragraph (a) or (b)	£3.05	£3.40
paragraph (3)	charge for drugs supplied by instalments	£3.05	£3.40
Regulation 4—	Supply of drugs and appliances by doctors—		
paragraph (1)(a)	charge for elastic hosiery—		
	per item	£3.05	£3.40
	per pair	£6.10	£6.80
paragraph (1)(b)	charge for drugs, and for appliances not specified in sub- paragraph (a)	£3.05	£3.40
paragraph (3)	charge for drugs supplied by instalments	£3.05	£3.40
Regulation 5—	Supply of drugs and appliances to out- patients by health authorities—		
paragraph (1)(a)	charge for elastic hosiery—		
	per item	£3.05	£3.40

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

Column (1) Provision in the principal Regulations	Column (2) Subject matter	Column (3) Old amount	Column (4) New amount
	per pair	£6.10	£6.80
paragraph (1)(c)	charge for tights	£6.10	£6.80
paragraph (1)(d)	charge for drugs and for appliances not specified in sub- paragraph (a) or (c), or in Schedule 1	£3.05	£3.40
paragraph (3)	charge for drugs supplied by instalments	£3.05	£3.40
Regulation 8(5)	Pre-payment certificate of exemption for—		
	4 months	£15.80	£17.60
	12 months	£43.50	£48.50
Schedule 1—	Charges for fabric supports and wigs—		
	surgical brassiere	£13.00	£14.50
	abdominal or spinal support	£17.00	£19.00
	stock modacrylic wig	£26.00	£29.00
	partial human hair wig	£67.00	£74.50
	full bespoke human hair wig	£97.00	£108.00

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges for Drugs and Appliances) Regulations 1989 (“the principal Regulations”) which provide for the making and recovery of charges for drugs and appliances supplied by doctors and chemists providing pharmaceutical services, and by health authorities to out-patients.

Regulation 2(2) amends regulation 5 of the principal Regulations to provide for the making and recovery of charges for drugs and appliances supplied by NHS trusts, and amendments are also made in regulations 2, 6 and 9 of the principal Regulations to extend the provisions relating to exemption

from, and the repayment of, such charges to cases where drugs and appliances have been supplied by NHS trusts (regulation 2(1), (3) and (4)).

Amendments made to the principal Regulations by regulation 2(5), and the Schedule, increase the charge for items on prescription or supplied to out-patients, and the monthly charge in respect of an oxygen concentrator supplied by a chemist, from £3.05 to £3.40. The charge for elastic stockings is increased from £3.05 to £3.40 each (from £6.10 to £6.80 per pair) and for tights from £6.10 to £6.80. The charges for partial human hair wigs and modacrylic wigs are increased from £67.00 to £74.50 and from £26.00 to £29.00 respectively. The charge for full human hair wigs are increased from £97.00 to £108.00. The charge for fabric supports is increased from £17.00 to £19.00 and the charge for surgical brassieres is increased from £13.00 to £14.50. The sums prescribed for the grant of pre-payment certificates of exemption from charges are increased from £15.80 to £17.60 for a four month certificate and from £43.50 to £48.50 for a twelve month certificate.