

This Statutory Instrument has been printed to correct errors in S.I.2000/124 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2000 No. 870

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES
NATIONAL HEALTH SERVICE, SCOTLAND
HEALTH AND PERSONAL SOCIAL
SERVICES, NORTHERN IRELAND**

**The Health Service Medicines (Price Control
Appeals) Amendment Regulations 2000**

<i>Made</i>	- - - -	<i>24th March 2000</i>
<i>Laid before Parliament</i>		<i>27th March 2000</i>
<i>Coming into force</i>	- -	<i>17th April 2000</i>

The Secretary of State, in exercise of the powers conferred by sections 37(5) and (6) of the Health Act 1999⁽¹⁾ and all other powers enabling him in that behalf, having consulted the industry body, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Service Medicines (Price Control Appeals) Amendment Regulations 2000 and shall come into force on 17th April 2000.

(2) In these Regulations “the principal Regulations” means the Health Service Medicines (Price Control Appeals) Regulations 2000⁽²⁾.

Amendment of the principal Regulations

2.—(1) In the following provisions of the principal Regulations for the words “disputed action” in each place in which they occur there shall be substituted the words “enforcement decision”—

(1) 1999 c. 8.
(2) S.I. 2000/124.

- (a) regulation 5(2)(b) (notice of appeal);
- (b) regulation 14 (further documents); and
- (c) regulation 29(2)(b) (evidence).

(2) In regulation 27(4) (procedure at the hearing) for the reference “regulation 21(1)(b)” there shall be substituted the reference “regulation 22(1)(b)”.

(3) For paragraph (4) of regulation 30 (summoning or citing of witness) there shall be substituted the following paragraph—

“(4) Where a person summoned under paragraph (1)—

- (a) refuses or neglects, without sufficient cause, to appear or to produce any documents required by the summons to be produced, or
- (b) having been so summoned, refuses to be sworn or to give evidence,

a judge may, on the application of the chairman, exercise his powers under section 55 of the County Court Act 1984⁽³⁾ or, in relation to matters arising in Northern Ireland, Article 54 of the County Courts (Northern Ireland) Order 1980⁽⁴⁾ in relation to that person as though the person had been summoned in pursuance of the civil procedure rules as a witness in a county court.”.

24th March 2000

Alan Milburn
One of Her Majesty’s Principal Secretaries of
State

⁽³⁾ 1984 c. 28.

⁽⁴⁾ S.I. 1980/397 (N.I. 3).

EXPLANATORY NOTE

These Regulations correct errors in the Health Service Medicines (Price Control Appeals) Regulations 2000 (No. 124) (“the principal Regulations”). They are being issued free to all known recipients of the principal Regulations.

Regulation 2(1) amends regulations 5(2)(b), 14 and 29(2)(b) of the principal Regulations by substituting references to the “enforcement decision” in place of references to the “disputed action”.

Regulation 2(2) corrects a cross reference in regulation 27(4) of the principal Regulations.

Regulation 2(3) substitutes a new paragraph for paragraph (4) of regulation 30 of the principal regulations to correct the layout and to provide a reference to the civil procedure rules.

These Regulations impose no costs on business.