

2007 No. 543

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Charges for Drugs and Appliances) Amendment Regulations 2007

Made - - - - *23rd February 2007*

Laid before Parliament *2nd March 2007*

Coming into force - - *1st April 2007*

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred on her by sections 77 and 126(4) of the National Health Service Act 1977(a).

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) Amendment Regulations 2007 and shall come into force on 1st April 2007.

(2) These Regulations apply in relation to England.

(3) In these Regulations, “the Charges Regulations” means the National Health Service (Charges for Drugs and Appliances) Regulations 2000(b);

Amendment of the Charges Regulations to increase charges

2.—(1) The Charges Regulations are amended as follows.

(2) In each of the following provisions, for “£6.65” in each place that it occurs substitute “£6.85”—

(a) regulation 3(1)(a) and (b), (1A)(b)(i) and (ii) and (4) (charges for the supply of drugs and appliances by chemists);

(b) regulation 4(1)(a) and (b) and (4) (charges for the supply of drugs and appliances by doctors);

(a) 1977 (c.49). Section 77 has been amended by section 184 of, and paragraphs 7 and 28 of Schedule 11 to, the Health and Social Care (Community Health and Standards) Act 2003 (c. 43) (“the 2003 Act”). Section 126(4) has been amended by section 65(2) of the 1990 Act, section 65(1) of, and paragraphs 4 and 37 of Schedule 4 to, the Health Act 1999 (c.8) (“the 1999 Act”), section 67(1) of, and paragraph 5 and 13 of Part 1 of Schedule 5 to, the Health and Social Care Act 2001 (c.15), sections 6(3)(c) and 37(1) of the Reform Act 2002 and sections 184 and 196 of, and paragraphs 7 and 38 of Schedule 11 to, and Part 4 of Schedule 14 to the 2003 Act. See also section 128(1) of the National Health Service Act 1977 (“the 1977 Act”), as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of “prescribed” and “regulations”. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act. With effect from 1 March 2007, sections 77 and 126(4) of the 1977 Act will be repealed by section 6 of, and Schedule 4 to, the National Health Service (Consequential Provisions) Act 2006 (c.43) and section 77 will be consolidated in sections 172 and 174 of the National Health Service Act 2006(c.41) (“the 2006 Consolidation Act”) and section 126(4) will be consolidated in section 272(7) of the 2006 Consolidation Act.

(b) S.I. 2000/620, as amended by S.I. 2000/2393, S.I. 2000/3189, S.I. 2001/746, S.I. 2001/2887, S.I. 2002/548, S.I. 2002/1386, S.I. 2002/2352, S.I. 2003/585, S.I. 2003/699, S.I. 2003/1084, S.I. 2004/663, S.I. 2005/578 and 2006/675.

- (c) regulation 4A(1)(a) and (b) (charges for the out of hours supply of drugs and appliances by providers of out of hours services);
 - (d) regulation 5(1)(a) and (d) and (5) (charges for the supply of drugs and appliances by NHS trusts and Primary Care Trusts);
 - (e) regulation 6(1)(a) and (b) and (4) (charges for the supply of drugs and appliances at Walk-in Centres); and
 - (f) regulation 6A(1) (charges for the supply of drugs under Patient Group Directions).
- (3) In each of the following provisions, for “£13.30” in each place that it occurs substitute “£13.70”—
- (a) regulation 3(1)(a) and (1A)(b)(i) (charge for the supply of a pair of elastic hosiery by chemists);
 - (b) regulation 4(1)(a) (charge for the supply of a pair of elastic hosiery by doctors);
 - (c) regulation 4A(1)(a) (charge for the out of hours supply of a pair of elastic hosiery by providers of out of hours services);
 - (d) regulation 5(1)(a) and (c) (charge for the supply of a pair of elastic hosiery or tights by NHS trusts or Primary Care Trusts); and
 - (e) regulation 6(1)(a) (charge for the supply of a pair of elastic hosiery at Walk-in Centres).
- (4) In regulation 9(5) (pre-payment certificates) substitute—
- (a) for “£34.65”, “£35.85”; and
 - (b) for “£95.30”, “£98.70”.
- (5) In column (2) of Schedule 1 (charges for fabric supports and wigs) substitute—
- (a) for “£22.30”, “£23.10”;
 - (b) for “£33.75”, “£34.95”;
 - (c) for “£55.10”, “£57.00”;
 - (d) for “£145.55”, “£150.75”; and
 - (e) for “£212.85”, “£220.50”.

Transitional provision relating to the Charges Regulations

3. Where, on or after 1st April 2007—
- (a) any appliance specified in Schedule 1 to the Charges Regulations is supplied pursuant to an order given before that date; or
 - (b) any pre-payment certificate is granted under regulation 9 of the Charges Regulations pursuant to an application under that regulation which was received before that date,
- the Charges Regulations shall have effect in relation to that supply, or as the case may be, grant, as if these Regulations had not come into force.

Signed by authority of the Secretary of State for Health

23rd February 2007

Hunt
Minister of State
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges for Drugs and Appliances) Regulations 2000 (“the Charges Regulations”).

Regulation 2 increases prescription and other charges payable under the Charges Regulations and regulation 3 makes transitional provision in relation to certain of those charges.

A full regulatory impact assessment has not been produced for these Regulations as they have no impact on the costs of business, charities or voluntary bodies.

2007 No. 543

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (Charges for Drugs and
Appliances) Amendment Regulations 2007**

£3.00

© Crown copyright 2007

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.

E0262 3/2007 170262T 19585