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STATUTORY INSTRUMENTS

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**2010 No. 2798**

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

The Health Service Branded Medicines (Control of Prices and Supply of Information) Amendment Regulations 2010

<i>Made</i>	- - - -	<i>18th November 2010</i>
<i>Laid before Parliament</i>		<i>24th November 2010</i>
<i>Coming into force</i>	- -	<i>1st January 2011</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers in sections 262(1), 263(1), 266(1) and 272(7) of the National Health Service Act 2006<sup>(1)</sup>.

The Secretary of State has consulted in accordance with sections 262(1) and 263(1) of that Act.

**Citation and commencement**

1. These Regulations may be cited as the Health Service Branded Medicines (Control of Prices and Supply of Information) Amendment Regulations 2010 and shall come into force on 1st January 2011.

**Amendment of the Health Service Branded Medicines (Control of Prices and Supply of Information) (No. 2) Regulations 2008**

2. In regulation 2 of the Health Service Branded Medicines (Control of Prices and Supply of Information) (No. 2) Regulations 2008<sup>(2)</sup>, in paragraphs (1) and (2), for “5.8 per cent” substitute “5.7 per cent”.

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(1) 2006 c.41.

(2) S.I. 2008/3258, amended by S.I. 2009/3030.

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**Status:** This is the original version (as it was originally made).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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## **Revocation**

**3.** The Health Service Branded Medicines (Control of Prices and Supply of Information) Amendment Regulations 2009**(3)** are revoked.

Signed by authority of the Secretary of State for Health.

18th November 2010

*Earl Howe*  
Parliamentary Under-Secretary of State,  
Department of Health

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## EXPLANATORY NOTE

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

These Regulations, which apply to the United Kingdom, amend regulation 2 of the Health Service Branded Medicines (Control of Prices and Supply of Information) (No.2) Regulations 2008 (“the 2008 Regulations”).

Regulation 2 of those Regulations specifies the maximum price which may be charged for the presentation of a branded medicine which is supplied for health service purposes, unless the medicine falls within a voluntary scheme for limiting prices or profits or the price is determined under the other provisions of the Regulations. The amendment provides that the maximum price of a presentation is calculated by deducting 5.7 % (instead of 5.8 %) from the price for which that presentation was on sale for health service purposes in England on 1st December 2008. The amendment mirrors a change to the Pharmaceutical Price Regulation Scheme 2009 (available at [www.dh.gov.uk](http://www.dh.gov.uk)), which also has effect on 1st January 2010.

An Impact Assessment has been prepared and is available at [www.dh.gov.uk](http://www.dh.gov.uk). Copies may also be obtained from the Department of Health, Zone 456D, Skipton House, 80 London Road, London SE1 6LH.