SCOTTISH STATUTORY INSTRUMENTS

# 2012 No. 74

# NATIONAL HEALTH SERVICE

## The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2012

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| *Made - - - -* | *29th February 2012* |
| *Laid before the Scottish Parliament - - - -* | *2nd March 2012* |
| *Coming into force - -* | *1st April 2012* |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 69(1) and (2), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(**1**) and all other powers enabling them to do so.

### Citation and commencement

**1.** These Regulations may be cited as the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2012 and come into force on 1st April 2012.

### Amendment of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011

**2.** In regulation 3 (supply of drugs and appliances) of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011(**2**)—

(a) in paragraph (2)(a) for "1st April 2011" substitute "1st April 2012"(**3**);

(b) in paragraph (2)(b) for "1st April 2011" substitute "1st April 2012"(**4**).

(**1**) 1978 c.29; section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, paragraph 24, and by the Health Act 1999 (c.8) ("the 1999 Act"), Schedule 4, paragraph 60; section 108(1) contains definitions of "prescribed" and "regulations" relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(**2**) S.S.I. 2011/55.

(**3**) The charge specified in regulation 3(1)(a) of the National Health Service (Charges for Drugs and Appliances) Regulations 2000 (S.I. 2000/620) ("the 2000 Regulations") as at 1st April 2012, is £7.65, that is to say a charge of £15.30 per pair.

(**4**) The charge specified in regulation 3(1)(b) of the 2000 Regulations, as at 1st April 2012, is £7.65.

St Andrew's House,
Edinburgh
29th February 2012

*NICOLA STURGEON*
A member of the Scottish Executive

## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011 ("the principal Regulations"). The principal Regulations provide that where a person provides pharmaceutical services to a patient who presents an English prescription form, that person must make and recover from the patient the charges specified in the National Health Service (Charges for Drugs and Appliances) Regulations 2000.

Regulation 2 updates the principal Regulations so that the charge for a prescription presented on an English prescription form will reflect the English rate from 1st April 2012.