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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 231**

**NATIONAL HEALTH SERVICE**

**The National Health Service (Free Prescriptions  
and Charges for Drugs and Appliances)  
(Scotland) Amendment Regulations 2017**

<i>Made</i>	- - - -	<i>28th June 2017</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>30th June 2017</i>
<i>Coming into force</i>	- -	<i>2nd October 2017</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 69(1) and 105(7) 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 2017 and come into force on 2nd October 2017.

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

**2.—(1)** The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Regulations 2011(2) are amended as follows.

(2) In regulation 3(2) (supply of drugs and appliances), in each place where it occurs, for “1st April 2016” substitute “1st April 2017”.

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(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 the Health Act 1999 (c.8), schedule 4, paragraph 60. Section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory power 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, as amended by S.S.I. 2015/160 and S.S.I. 2016/195.

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*Status: This is the original version (as it was originally made).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 of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2016**

**3.** The National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2016**(3)** are revoked.

St Andrew's House,  
Edinburgh  
28th June 2017

*SHONA ROBISON*  
A member of the Scottish Government

## 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 2011 Regulations”). The 2011 Regulations provide that where a pharmacist provides pharmaceutical services to a patient who presents an English prescription form, that pharmacist must make and recover from the patient the charges specified in the National Health Service (Charges for Drugs and Appliances) Regulations 2015 (“the 2015 Regulations”) as at a specified date, unless certain exemptions apply.

Regulation 2 amends the 2011 Regulations so that the charge to be made and recovered reflects the rate applicable under the 2015 Regulations as at 1st April 2017. The 2015 Regulations were amended by [S.I. 2017/408](#) to make the following charges applicable from 1st April 2017:

- £8.60 per item, or £17.20 per pair, in relation to the supply of elastic hosiery;
- £8.60 in relation to the supply of any other appliance; and
- £8.60 in relation to the supply of each quantity of a drug.

Regulation 3 revokes the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Scotland) Amendment Regulations 2016.