



# Health Service Medical Supplies (Costs) Act 2017

## 2017 CHAPTER 23

### *Controlling cost of health service medicines*

#### **6 Enforcement**

- (1) The National Health Service Act 2006 is amended as follows.
- (2) Section 265 (enforcement) is amended as follows.
- (3) In subsection (4)—
  - (a) after “261(8)(b)” insert “ or (9) ”, and
  - (b) after “section 263(4), (5)” insert “, (5A) ”.
- (4) After subsection (8) insert—

“(8A) Subsection (8) does not apply to any action by the Secretary of State to recover as a debt any amount required to be paid to the Secretary of State by virtue of any of sections 261 to 263 or this section.”
- (5) Section 266 (controls: supplementary) is amended as follows.
- (6) In subsection (1) (Secretary of State's powers exercisable by making regulations or giving directions) for “(8)” substitute “(9)”.
- (7) In subsection (3) after “section 263(1)” insert “ (a) or (b) ”.
- (8) In subsection (4) after “section 263(1)” insert “ (a) and (b) ”.
- (9) After subsection (4) insert—

“(4A) The power under section 263(1)(c) is exercisable only with a view to requiring payments to be made which would be reasonable in all the circumstances, bearing in mind in particular—

  - (a) the need for medicinal products to be available for the health service on reasonable terms, and

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*Changes to legislation: There are currently no known outstanding effects for the Health Service Medical Supplies (Costs) Act 2017, Section 6. (See end of Document for details)*

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(b) the costs of research and development.”

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**Commencement Information**

**II** S. 6 in force at 7.8.2017 by S.I. 2017/809, reg. 2(e)

**Changes to legislation:**

There are currently no known outstanding effects for the Health Service Medical Supplies (Costs) Act 2017, Section 6.