
STATUTORY INSTRUMENTS

1994 No. 697 (S. 34)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1994

<i>Made</i>	- - - -	<i>10th March 1994</i>
<i>Laid before Parliament</i>		<i>11th March 1994</i>
<i>Coming into force</i>	- -	<i>1st April 1994</i>

The Secretary of State, in exercise of the powers conferred on him by sections 19, 27, 69, 75(a), 105(7) and 108(1) of the National Health Service (Scotland) Act 1978((1)), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Scotland) Amendment Regulations 1994 and shall come into force on 1st April 1994.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1989((2)).

Amendments to the principal Regulations: amounts specified

2.—(1) In regulation 3(1)(b) of the principal Regulations (supply of drugs and appliances by chemists), for the figure “£4.25” there shall be substituted the figure “£4.75”.

(2) In regulation 8(5) of the principal Regulations (pre-payment certificates)—

(a) for the figure “£22.00” there shall be substituted the figure “£24.60”; and

(b) for the figure “£60.60” there shall be substituted the figure “£67.70”.

-
- (1) 1978 c. 29; section 19 was amended by the Health Services Act 1980 (c. 53) (“the 1980 Act”), section 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41) (“the 1983 Act”), Schedule 7, paragraph 2, by the Medical Act 1983 (c. 54), Schedule 5, paragraph 17(a) and by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 37 and was extended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 17; section 27 was amended by the 1980 Act, section 20(2), by the National Health Service (Amendment) Act 1986 (c. 66), section 3(3), by S.I. 1987/2202 and by the 1990 Act, Schedule 9, paragraph 19(7) and was extended by the 1988 Act, section 17; section 105(7), which was amended by the 1980 Act, Schedule 6, paragraph 5 and Schedule 7 and by the 1983 Act, Schedule 9, paragraph 24, contains provisions relevant to the making of Regulations; and section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.
- (2) S.I. 1989/326, amended by S.I. 1990/468, 1990/787, 1991/574, 1992/394 and 1993/522.

(3) For paragraph (6) of regulation 8 of the principal Regulations there shall be substituted the following paragraph:—

“6) Where payment of a sum prescribed under this regulation is made in respect of a person who, not more than one month after the date on which his certificate becomes valid, dies or becomes a person to whom any of the provisions of regulation 7(1)(b) to (f) or regulation 3 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988((3)) applies, or becomes resident in hospital, a claim for repayment of that sum may, subject to the provisions of paragraph (7), be made by or on behalf of that person.”.

(4) For Schedules 1, 2 and 3 to the principal Regulations there shall be substituted those Schedules as set out in the Schedule to these Regulations.

Application

3. The principal Regulations, as amended by these Regulations, shall apply only in relation to supplies of drugs and appliances made after 31st March 1994 except that—

- (a) regulation 6 (fabric supports and wigs) of the principal Regulations, as so amended, shall apply only where the examination or first examination leading to the supply of the specified appliance takes place after that date; and
- (b) regulation 8 (pre-payment certificates) of the principal Regulations, as so amended, shall apply only where the application referred to in paragraph (1) of that regulation is received after that date.

St Andrew's House,
Edinburgh
10th March 1994

Fraser of Carmyllie
Minister of State, Scottish Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 2(4)

“SCHEDULE 1

Regulations 3, 4 and 5

CHARGES FOR ELASTIC HOSIERY

Column 1 Specified Appliance	Column 2 Specified Sum
Above knee stocking, below knee stocking or thigh stocking	£4.75 each (ie £9.50 per pair)

SCHEDULE 2

Regulation 5

CHARGES FOR TIGHTS

Column 1 Specified Appliance	Column 2 Specified Sum
Tights (per pair)	£9.50

SCHEDULE 3

Regulation 6

CHARGES FOR FABRIC SUPPORTS AND WIGS

Column 1 Specified Appliance	Column 2 Specified Sum
Surgical Brassiere	£18.50
Abdominal or Spinal Support	£24.50
Stock Modacrylic Wig	£40.00
Partial Human Hair Wig	£104.00
Full Bespoke Human Hair Wig	£151.00”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st April 1994, amend the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 1989 (“the principal Regulations”) which provide for the making and recovery of charges for drugs and appliances (other than dental

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

or optical appliances) supplied by chemists and doctors under or by virtue of the National Health Service (Scotland) Act 1978.

Regulation 2 provides for increases in the charges specified for the supply of drugs and appliances, elastic hosiery and fabric supports and wigs.

The charge for most items on prescription or supplied to an out-patient is increased from £4.25 to £4.75. The charge for an elastic stocking is increased from £4.25 to £4.75 and for tights from £8.50 to £9.50 per pair. The charge for surgical brassieres is increased from £18.00 to £18.50 and for fabric supports from £24.00 to £24.50. The charges for wigs are increased from £36.00 to £40.00 (modacrylic wig), from £93.00 to £104.00 (partial human hair wig) and from £135.00 to £151.00 (full bespoke human hair wig). The sums prescribed for the provision of pre-payment certificates of exemption from charges are increased from £22.00 to £24.60 for a four monthly certificate and from £60.60 to £67.70 for a twelve monthly certificate.

Regulation 2 also amends the principal Regulations to enable hospital in-patients and those entitled to full remission of charges and travelling expenses who have bought pre-payment certificates to apply for a refund.