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STATUTORY INSTRUMENTS

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**2015 No. 570**

**The National Health Service (Charges for  
Drugs and Appliances) Regulations 2015**

**Exemption from charges for prisoners and persons detained in other secure accommodation**

**11.**—(1) A prisoner or person detained in other secure accommodation is not liable to pay any charge under these Regulations.

(2) No charge is payable under regulation 3(1), 3(2), or 4 by a person where the charge is for drugs or appliances ordered on a non-electronic prescription form, and—

- (a) that person was a prisoner or a person detained in other secure accommodation at the time that the non-electronic prescription form was issued; and
- (b) that non-electronic prescription form has printed upon it—
  - (i) the letters “HMP”, and
  - (ii) the name and address of the prison or other secure accommodation in which the person was detained at the time the non-electronic prescription form was issued.

(3) In this regulation—

“other secure accommodation” means—

- (a) a court in which criminal proceedings against a person are heard;
- (b) secure training centre accommodation in which offenders in respect of whom detention and training orders have been made under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000<sup>(1)</sup> (offenders under 18: detentions and training orders) may be detained and given training and education and prepared for their release and in which children who have been remanded to youth detention accommodation under section 91<sup>(4)</sup> of the Legal Aid, Sentencing and Punishment of Offenders Act 2012<sup>(2)</sup> (remands of children otherwise than on bail) may be detained; or
- (c) a secure children’s home in which accommodation is provided within the meaning of the Care Standards Act 2000<sup>(3)</sup>, which provides accommodation for the purposes of restricting liberty and in respect of which a person is registered under Part 2 of that Act (establishments and agencies);

“person detained in other secure accommodation” means a person who is detained in other secure accommodation in which medical, dental, ophthalmic, pharmaceutical or nursing services are provided under the 2006 Act under arrangements made by the Board pursuant to Parts 4 to 7 of the 2006 Act or regulation 10 of the Standing Rules Regulations<sup>(4)</sup> (services for prisoners and other detainees);

“prison” includes a young offenders institution but not a naval, military or air force prison; and

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<sup>(1)</sup> 2000 c. 6. Section 100 has been amended by: the Criminal Justice and Court Services Act 2000 (c. 6), Schedule 7, paragraphs 160 and 184; the Criminal Justice Act 2003 (c. 44), Schedule 32, paragraphs 90 and 111, and Schedule 37, Part 7; and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), Schedule 21, paragraphs 7 and 13, and Schedule 26, paragraphs 9 and 11.

<sup>(2)</sup> 2012 c. 10.

<sup>(3)</sup> 2000 c. 14.

<sup>(4)</sup> S.I. 2012/2996. Regulation 10 has been amended by S.I. 2013/261 and 2014/452.

“prisoner” means a person who is detained in a prison in which medical, dental, ophthalmic, pharmaceutical or nursing services are provided under the 2006 Act under arrangements made by the Board pursuant to Parts 4 to 7 of the 2006 Act or regulation 10 of the Standing Rules Regulations.