
STATUTORY INSTRUMENTS

2015 No. 570

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

Pre-payment certificates: repayment

17.—(1) Where the issuing amount in respect of a pre-payment certificate has been paid and, not more than one month after the date when the pre-payment certificate became valid, the relevant person—

- (a) dies; or
- (b) becomes resident in a hospital and thereafter dies while resident in hospital before the expiry of the pre-payment certificate,

an application for repayment of the entirety of the issuing amount which has already been paid may be made on behalf of that person's estate in accordance with paragraph (6) and (7).

(2) Where the issuing amount in respect of a pre-payment certificate valid for 12 months has been paid and during the period beginning on the date when the pre-payment certificate became valid and ending on the date of its expiry, the relevant person becomes—

- (a) entitled to exemption by virtue of regulation 10(1)(b) to (h);
- (b) entitled to remission by virtue of regulation 5 of the Travel Expenses and Remission of Charges Regulations^{M1} (entitlement to full remission and payment); or
- (c) resident in hospital and thereafter remains in hospital until the expiry of the pre-payment certificate,

an application for a refund may be made, by or on behalf of that person or that person's estate, in accordance with paragraph (6) and (7), and is to be calculated in accordance with paragraph (4), in respect of each complete month following the date on which one of the events listed in subparagraph (a) to (c) occurred.

(3) Where the issuing amount in respect of a pre-payment certificate has been paid and during the period beginning one month after the date when the pre-payment certificate became valid and ending with the date of its expiry, the relevant person—

- (a) dies; or
- (b) becomes resident in hospital and thereafter dies while resident in hospital before the expiry of the pre-payment certificate,

an application for a refund may be made on behalf of that person's estate in accordance with paragraph (6) and (7), and is to be calculated in accordance with paragraph (4), in respect of each complete month following the date when the person died or became resident in hospital.

(4) The refund referred to in paragraph (2) and (3) is to be calculated as follows—

- (a) in the case of a pre-payment certificate valid for 3 months, one third of [^{F1}£29.65] for each complete month during which the pre-payment certificate is or was valid following the relevant date;

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- (b) in the case of a pre-payment certificate valid for 12 months where a person has paid for the pre-payment certificate by means of a single payment, one twelfth of [^{F2}£105.90] for each complete month during which the pre-payment certificate is or was valid following the relevant date; or
- (c) in the case of a pre-payment certificate valid for 12 months where a person is or was paying for the pre-payment certificate in ten monthly instalments by means of direct debit either—
 - (i) where the sum payable for the pre-payment certificate has been paid in full, one twelfth of [^{F3}£105.90] for each complete month during which the pre-payment certificate is or was valid following the relevant date, or
 - (ii) where the sum payable for the pre-payment certificate has not been paid in full, the amount paid for the pre-payment certificate at the point of refund, minus £104.00, plus one twelfth of [^{F4}£105.90] for each complete month during which the pre-payment certificate is or was valid following the relevant date,

and for the purposes of these calculations, a “complete month” is a month beginning on the monthly anniversary of the date on which the pre-payment certificate became valid and ending on the date immediately preceding that date in the following month, “the relevant date” is the date on which one of the events listed in paragraph (2) or (3) occurred, and if a calculation produces a minus figure for the refund, no refund is payable.

(5) Where the issuing amount in respect of a pre-payment certificate valid for 3 months has been paid and not more than one month after the date on which the pre-payment certificate became valid, the relevant person becomes—

- (a) entitled to exemption by virtue of regulation 10(1)(b) to (h);
- (b) entitled to remission by virtue of regulation 5 of the Travel Expenses and Remission of Charges Regulations; or
- (c) resident in a hospital and remains there until expiry of the pre-payment certificate,

an application for a refund of two thirds of [^{F5}£29.65] may be made by or on behalf of that person in accordance with paragraph (6) and (7).

(6) An application for a refund under this regulation is to be made to the Secretary of State and must be accompanied by the pre-payment certificate (where granted) and a declaration in support of the claim.

(7) An application for a refund under this regulation is to be made—

- (a) where the relevant person dies or becomes resident in hospital and thereafter dies, within 24 months of the date of that death;
- (b) where the relevant person becomes—
 - (i) entitled to exemption by virtue of regulation 10(1)(b) to (h), or
 - (ii) entitled to remission by virtue of regulation 5 of the Travel Expenses and Remission of Charges Regulations,

within 3 months of the date on which the event specified in paragraph (i) or (ii) occurred; or

- (c) where the relevant person becomes resident in hospital and remains there until the expiry of the pre-payment certificate, within 3 months of the date of expiry.

(8) Any repayment is to be made in such manner and subject to such conditions as the Secretary of State may determine.

(9) Where the calculation of an amount under this regulation produces a sum which is not a whole number, the amount must be rounded up to the nearest penny.

(10) In this regulation, “the relevant person” means the person in respect of whom an issuing amount was paid.

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Textual Amendments

- F1** Sum in reg. 17(4)(a) substituted (1.4.2020) by [The National Health Service \(Charges for Drugs and Appliances\) \(Amendment\) Regulations 2020 \(S.I. 2020/201\)](#), regs. 1(1), **5(a)(i)** (with reg. 6)
- F2** Sum in reg. 17(4)(b) substituted (1.4.2020) by [The National Health Service \(Charges for Drugs and Appliances\) \(Amendment\) Regulations 2020 \(S.I. 2020/201\)](#), regs. 1(1), **5(a)(ii)** (with reg. 6)
- F3** Sum in reg. 17(4)(c)(i) substituted (1.4.2020) by [The National Health Service \(Charges for Drugs and Appliances\) \(Amendment\) Regulations 2020 \(S.I. 2020/201\)](#), regs. 1(1), **5(a)(ii)** (with reg. 6)
- F4** Sum in reg. 17(4)(c)(ii) substituted (1.4.2020) by [The National Health Service \(Charges for Drugs and Appliances\) \(Amendment\) Regulations 2020 \(S.I. 2020/201\)](#), regs. 1(1), **5(a)(ii)** (with reg. 6)
- F5** Sum in reg. 17(5) substituted (1.4.2020) by [The National Health Service \(Charges for Drugs and Appliances\) \(Amendment\) Regulations 2020 \(S.I. 2020/201\)](#), regs. 1(1), **5(b)** (with reg. 6)

Marginal Citations

- M1** Relevant amendments were made to regulation 5 by [S.I. 2004/663](#) and [936](#), [2006/562](#), [2008/1697](#), [2009/411](#), [2013/475](#) and [2014/2667](#).

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)
- reg. 17(4)(a) sum substituted by [S.I. 2021/178 reg. 5\(a\)\(i\)](#)
- reg. 17(4)(a) sum substituted by [S.I. 2023/300 reg. 5\(a\)\(i\)](#)
- reg. 17(4)(b) sum substituted by [S.I. 2021/178 reg. 5\(a\)\(ii\)](#)
- reg. 17(4)(b) sum substituted by [S.I. 2023/300 reg. 5\(a\)\(ii\)](#)
- reg. 17(4)(c)(i) sum substituted by [S.I. 2021/178 reg. 5\(a\)\(ii\)](#)
- reg. 17(4)(c)(i) sum substituted by [S.I. 2023/300 reg. 5\(a\)\(ii\)](#)
- reg. 17(4)(c)(ii) sum substituted by [S.I. 2021/178 reg. 5\(a\)\(ii\)](#)
- reg. 17(4)(c)(ii) sum substituted by [S.I. 2023/300 reg. 5\(a\)\(ii\)](#)
- reg. 17(5) sum substituted by [S.I. 2021/178 reg. 5\(b\)](#)
- reg. 17(5) sum substituted by [S.I. 2023/300 reg. 5\(b\)](#)
- reg. 17(6) words omitted by [S.I. 2024/456 reg. 10](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 9(2A) inserted by [S.I. 2024/456 reg. 6](#)
- reg. 10(h)(j) inserted by [S.I. 2023/171 reg. 7\(c\)](#)
- reg. 15(2A) inserted by [S.I. 2021/1346 reg. 13\(4\)](#)
- reg. 15(6) inserted by [S.I. 2024/456 reg. 7](#)
- reg. 15A inserted by [S.I. 2021/1346 reg. 14](#)
- reg. 16A inserted by [S.I. 2024/456 reg. 9](#)
- reg. 17(11) inserted by [S.I. 2023/171 reg. 9](#)
- reg. 17A inserted by [S.I. 2023/171 reg. 10](#)
- reg. 17A substituted by [S.I. 2023/300 reg. 6](#)
- reg. 17A(4)(a) sum substituted by [S.I. 2024/456 reg. 11](#)