
STATUTORY INSTRUMENTS

2018 No. 384

**The Health Service Medicines (Price Control Penalties
and Price Control Appeals Amendment) Regulations 2018**

Section 262 of the National Health Service Act 2006: Penalties

2.—(1) Paragraph (2) applies where, for the supply of a health service medicine, a manufacturer or supplier charges a price in excess of the limit specified in a direction given by the Secretary of State under section 262(1)(a) of the National Health Service Act 2006⁽¹⁾ (power to control prices) on or after the date on which the direction takes effect.

(2) Where this paragraph applies, the manufacturer or supplier is liable to pay to the Secretary of State a penalty, in respect of the period starting on the date which the direction takes effect, calculated on a daily basis in accordance with the Schedule read with regulations 3(3) and 4(2), until the price charged by the manufacturer or supplier for the supply of the health service medicine complies with the limit specified in the direction.

⁽¹⁾ 2006 c. 41; section 262 was amended by the Health Service Medical Supplies (Costs) Act 2017, section 4. *See* section 266(1)(b) of the National Health Service Act 2006 which empowers the Secretary of State to exercise the powers under section 262(1)(a) by giving directions to a specific manufacturer or supplier.