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STATUTORY INSTRUMENTS

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**2021 No. 178**

**NATIONAL HEALTH SERVICE, ENGLAND**

**The National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2021**

*Made* - - - - 22nd February 2021  
*Laid before Parliament* 23rd February 2021  
*Coming into force* - - 1st April 2021

The Secretary of State for Health and Social Care makes the following Regulations in exercise of the powers conferred by sections 172(1) and (2), 174, 178 and 272(7) and (8)(a) of the National Health Service Act 2006<sup>(1)</sup>.

**Citation, commencement, interpretation, extent and application**

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2021 and come into force on 1st April 2021.

(2) In these Regulations, “the Charges Regulations” means the National Health Service (Charges for Drugs and Appliances) Regulations 2015<sup>(2)</sup>.

(3) These Regulations extend to England and Wales, and apply to England<sup>(3)</sup>.

**Amendment of the Charges Regulations**

2. The Charges Regulations are amended in accordance with regulations 3 to 5.

**Amendments relating to charges for drugs and appliances**

3.—(1) In each of the following provisions, for “£9.15”, substitute “£9.35”—

- (a) regulation 3(1)(a), (b) and (c), (2)(a), (b) and (c) and (7) (supply of drugs and appliances by chemists);
- (b) regulation 4(1)(a), (b) and (c) and (4) (supply of drugs and appliances by doctors);

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(1) [2006 c.41](#). See section 275(1) of the National Health Service Act 2006 (“the Act”) for the definitions of “prescribed” and “regulations” that are relevant to the powers being exercised.

(2) [S.I. 2015/570](#): as amended by [S.I. 2015/1879](#), [2016/325](#), [696](#) and [1077](#), [2017/408](#), [2018/48 \(W.15\)](#), [201](#) and [1114](#), [2019/248](#), [287](#), [990](#) and [1094](#) and [2020/201](#), [885](#) and [1126](#).

(3) By virtue of section 271(1) of the Act, the functions of the Secretary of State being exercised in the making of these Regulations are exercisable only in relation to England.

- (c) regulation 5(1)(a), (b) and (c) (out of hours supply of drugs and appliances by providers of out of hours services);
  - (d) regulation 6(1)(a), (d) and (e) (supply of drugs and appliances by NHS trusts and NHS foundation trusts);
  - (e) regulation 7(1)(a), (b) and (c) and (5) (supply of drugs and appliances at walk-in centres);
  - (f) regulation 8(1) (supply of drugs under Patient Group Directions); and
  - (g) regulation 9(1)(a), (d) and (e) and (8) (supply of drugs and appliances by other providers of NHS services).
- (2) In each of the following provisions, for “£18.30”, substitute “£18.70”—
- (a) regulation 3(1)(a) and (2)(a) (supply of drugs and appliances by chemists);
  - (b) regulation 4(1)(a) (supply of drugs and appliances by doctors);
  - (c) regulation 5(1)(a) (out of hours supply of drugs and appliances by providers of out of hours services);
  - (d) regulation 6(1)(a) and (c) (supply of drugs and appliances by NHS trusts and NHS foundation trusts);
  - (e) regulation 7(1)(a) (supply of drugs and appliances at walk-in centres); and
  - (f) regulation 9(1)(a) and (b) (supply of drugs and appliances by other providers of NHS services).
- (3) In column (2) of Schedule 1 (charges for fabric supports and wigs)—
- (a) for “£30.05” substitute “£30.70”;
  - (b) for “£45.35” substitute “£46.30”;
  - (c) for “£74.15” substitute “£75.70”;
  - (d) for “£196.40” substitute “£200.50”; and
  - (e) for “£287.20” substitute “£293.20”.

#### **Amendment of regulation 16**

4. In regulation 16(3) (pre-payment certificates: application and grant)—
- (a) in sub-paragraph (a), for “£29.65” substitute “£30.25”;
  - (b) in sub-paragraph (b), for “£105.90” substitute “£108.10”; and
  - (c) in sub-paragraph (c), for “£10.59” substitute “£10.81”.

#### **Amendment of regulation 17**

5. In regulation 17 (pre-payment certificates: repayment)—
- (a) in paragraph (4)—
    - (i) in sub-paragraph (a) for “£29.65” substitute “£30.25”, and
    - (ii) in sub-paragraphs (b) and (c)(i) and (ii), for “£105.90”, at each place that it occurs, substitute “£108.10”; and
  - (b) in paragraph (5), for “£29.65” substitute “£30.25”.

#### **Transitional provision relating to the Charges Regulations**

6. Where, on or after 1st April 2021, an appliance specified in Schedule 1 to the Charges Regulations (charges for fabric supports and wigs) is supplied pursuant to an order given before that

date, the Charges Regulations are to have effect in relation to that supply as if these Regulations had not come into force.

22nd February 2021

*Matt Hancock*  
Secretary of State  
Department of Health and Social Care

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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Charges for Drugs and Appliances) Regulations 2015 (“the Charges Regulations”).

The Charges Regulations include the charges that are payable for the supply of NHS drugs and appliances in England. Regulation 3 amends regulations 3 to 9 of the Charges Regulations to increase the single prescription charge applied for the supply of drugs, appliances and elastic hosiery from £9.15 to £9.35 (if the hosiery charge is for a pair, the charge is double that amount). This is an increase of around 2%. There are also increases to the charges for wigs and fabric supports of around 2%.

Regulation 4 amends regulation 16 to increase the cost of a 3 month pre-payment certificate from £29.65 to £30.25, and the cost of a 12 month pre-payment certificate from £105.90 to £108.10. This increases the monthly cost of paying for a pre-payment certificate by direct debit from £10.59 to £10.81. This is an increase of around 2%. Regulation 5 amends regulation 17 to reflect the increase in the costs of pre-payment certificates made in regulation 16 in respect of the refunding arrangements that apply in the circumstances specified in that regulation.

Regulation 6 makes transitional provision in relation to fabric supports and wigs supplied pursuant to NHS prescriptions written before 1st April 2021.