
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations make provision for a civil penalty to be imposed where a person wrongly fails to pay a National Health Service charge in respect of the provision of drugs and medicines, dental treatment and appliances, optical services, or any other appliances. The Regulations also make provision for a civil penalty to be imposed where a person receives a payment or benefit towards the cost of a National Health Service charge or service to which that person is not entitled, such as National Health Service spectacle vouchers or free National Health Service sight tests.

Regulation 2 provides for a penalty notice to be issued to a person requiring payment of the amount that the person has failed to pay and an additional penalty charge. It sets out the period within which those amounts must be paid, and the information that the penalty notice must contain. Regulation 3 sets out how the amount of the penalty charge payable shall be calculated.

Regulation 4 provides that where the amount to be paid under the penalty notice is not paid within the period prescribed, a further sum by way of penalty (“surcharge”) must be paid. The regulation sets out how the amount of the surcharge shall be calculated.