WELSH STATUTORY INSTRUMENTS

2004 No. 1605 (W.164)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004

Made - - - -	*23 June 2004*
Coming into force - -	*1 October 2004*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 77 and 126(4) of the National Health Service Act 1977(**1**) hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Health Service (Charges for Drugs and Appliances) (Wales) (Amendment) Regulations 2004 and come into force on 1 October 2004.

(2) In these Regulations "the principal Regulations" ("*y prif Reoliadau*") means the National Health Service (Charges for Drugs and Appliances) (Wales) Regulations 2001(**2**).

(3) These Regulations apply to Wales only.

Amendment of regulation 2 of the principal Regulations

2.—(1) Regulation 2 of the principal Regulations (interpretation) is amended in accordance with the following provisions of this regulation.

(2) In paragraph (1) insert the following definition in the appropriate place in the alphabetical order—

> ""Local Health Board" ("*Bwrdd Iechyd Lleol*") has the meaning assigned to it by section 16BA of the Act;".

(3) After paragraph (1), insert the following paragraph—

(**1**) 1977 c. 49; *see* section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19)("the 1990 Act"), section 26(2)(g) and (i), for the definitions of "prescribed" and "regulations".
Section 126(4) was amended by the 1990 Act, section 65(2) and the Health Act 1999 (c. 8) ("the 1999 Act"), Schedule 4, paragraph 37(6).
The functions of the Secretary of State under sections 77 and 126(4) were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), article 2 and Schedule 1, as amended by the 1999 Act, section 66(4), the Health and Social Care Act 2001 (c. 15), section 68(1), the national Health Service Reform and Health Care Professions Act 2002 (c. 17), section 40(1) and the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), section 197(1).

(**2**) S.I.2001/1358 (W.86). Relevant amending instruments are S.I.2001/2359 (W.196) and 2004/1018 (W.115).

"(1A) The words "Health Authority" shall, in each place they occur, have effect as if there were substituted the words "Local Health Board".".

Amendment of amounts specified in the principal Regulations

3. For each amount specified in the column (3) of the Schedule to these Regulations, where it appears in the provision of the principal Regulations specified in relation to it in column (1) (the subject matter of which is indicated in column (2)), substitute the amount specified in relation to it in column (4).

Amendment of regulation 8 of the principal Regulations

4. In regulation 8(2)(b), for "sub-paragraph (b)" substitute "sub-paragraph (a)".

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**3**)

D. Elis-Thomas
23 June 2004 The Presiding Officer of the National Assembly

(**3**) 1998 c. 38.