

1995 No. 135

HEALTH AND PERSONAL SOCIAL SERVICES

**Charges for Drugs and Appliances (Amendment) Regulations
(Northern Ireland) 1995**

Made 29th March 1995

Coming into operation 1st April 1995

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 98 and 106 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Charges for Drugs and Appliances (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 1st April 1995.

(2) In these regulations, “the principal regulations” means the Health and Personal Social Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1973(b).

Amendment of regulation 3 of the principal regulations

2. In regulation 3 (supply of drugs and appliances by chemists) in paragraphs (1)(b) and (3) for “£4.75” there shall be substituted “£5.25”.

Amendment of regulation 5 of the principal regulations

3. In regulation 5(1)(b) (supply of drugs and appliances by doctors) for “£4.75” there shall be substituted “£5.25”.

Amendment of regulation 6 of the principal regulations

4. In regulation 6 (prepayment certificates)—

(a) in paragraph (4) for “£24.60” there shall be substituted “£27.20” and for “£67.70” there shall be substituted “£74.80”;

(b) for paragraph (7) there shall be substituted the following paragraph—

“(7) Where payment of a prescribed sum has been made under this regulation and, not more than one month after the date on which his certificate became valid, the person in respect of whom payment was made—

(a) S.I. 1972/1265 (N.I. 14); the relevant amending instruments are S.I. 1986/2229 (N.I. 24) Article 14, S.I. 1988/2249 (N.I. 24) Article 7 and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5

(b) S.R. & O. (N.I.) 1973 No. 419; paragraph (7) of regulation 6 was inserted by S.R. 1985 No. 47; the last amending regulations are S.R. 1994 No. 124

- (a) becomes a person to whom any of the provisions of regulation 15(1)(b) to (f) applies; or
- (b) becomes a person entitled to remission under regulation 3 of the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 1989(a); or
- (c) dies; or
- (d) becomes resident in a hospital and thereafter either—
 - (i) dies while resident in hospital before the expiry of the prepayment certificate; or
 - (ii) remains in hospital until the expiry of the prepayment certificate,
an application for repayment of that sum may be made, by or on behalf of that person or his estate, in accordance with paragraph (8).”
- (c) after paragraph (8) there shall be added the following paragraph—

“(9) An application under paragraph (7) shall be made—

 - (a) in a case falling within paragraph (7)(a), (b) or (c), not more than four months after the date on which the prepayment certificate became valid;
 - (b) in a case falling within paragraph (7)(d)(i), not more than three months after the date of death; or
 - (c) in a case falling within paragraph (7)(d)(ii), not more than three months after the date on which the prepayment certificate expired.”.

Amendment of regulation 7 of the principal regulations

5. In regulation 7 (supply of drugs and certain appliances to out-patients by hospitals)—

- (a) in paragraph (1)(b) for “£4.75” there shall be substituted “£5.25”;
- (b) in paragraphs (2)(b) and (3) for “£4.75” there shall be substituted “£5.25”.

Amendment of Schedules to the principal regulations

6.—(1) In Schedule 1 for “£4.75” there shall be substituted “£5.25” and for “£9.50” there shall be substituted “£10.50”.

- (2) In Schedule 1A(b) for “£9.50” there shall be substituted “£10.50”.
- (3) For Schedule 2 there shall be substituted the following Schedule—

(a) S.R. 1989 No. 348

(b) Schedule 1A was inserted by regulation 2 of S.R. 1984 No. 66