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

"SCHEDULE 2 Regulation 10

Charges for Wigs and Fabric Supports

(1) *Description*	(2) *Charges*
Surgical Brassiere	£ 19·00
Abdominal or Spinal Support	£ 27·00
Stock Modacrylic Wig	£ 44·00
Partial Human Hair Wig	£115·00
Full Bespoke Human Hair Wig	£167·00"

Transitional provisions

7. Where on or after 1st April 1995—

(*a*) any appliance specified in Schedule 2 to the principal regulations is supplied pursuant to an order given before that date; or

(*b*) any prepayment certificate is granted under regulation 6 of the principal regulations pursuant to an application under that regulation which was received before that date, the principal regulations shall have effect in relation to that supply or, as the case may be, that grant as if regulations 2, 3, 4, 5 and 6 of these regulations had not come into force.

Sealed with the Official Seal of the Department of Health and Social Services on 29th March 1995.

(L.S.) *D. Baker*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 29th March 1995.

(L.S.) *J. Sullivan*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Health and Personal Social Services (Charges for Drugs and Appliances) Regulations (Northern Ireland) 1973 ("the principal regulations") which provide for the making and recovery of charges for drugs and appliances supplied by doctors and chemists providing pharmaceutical services, and by hospitals and HSS trusts to outpatients.

The charge for each item on prescription is increased from £4·75 to £5·25. The sums prescribed for the grant of prepayment certificates of exemption from prescription charges are increased from £24·60 to £27·20 for a 4-month certificate and from £67·70 to £74·80 for a 12-month certificate.

The charge for elastic stockings is increased from £4·75 to £5·25 for each item (from £9·50 to £10·50 per pair) and for tights from £9·50 to £10·50.

The charge for a partial human hair wig is increased from £104·00 to £115·00, and for a stock modacrylic wig from £40·00 to £44·00. The charge for a full bespoke human hair wig is increased from £151·00 to £167·00. The charge for a surgical brassiere is increased from £18·50 to £19·00 and for an abdominal or spinal support from £24·50 to £27·00.

Regulation 4 extends the entitlement for a refund of prepayment certificate fees in certain circumstances to those entitled to remission of charges and to in-patients in hospital and introduces a time limit of four months within which an application for a refund can be made.

Transitional arrangements are made in respect of prepayment certificates and appliances ordered, before the coming into force of these regulations (Regulation 8).