1995 No. 402

HEALTH AND PERSONAL SOCIAL SERVICES

Charges for Drugs and Appliances (Amendment No. 2) Regulations (Northern Ireland) 1995

Made	*19th October 1995*
Coming into operation for the purposes of regulation 3(a) .	*20th October 1995*
for all other purposes . . .	*1st November 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 No. 2) Regulations (Northern Ireland) 1995.

(2) These regulations shall come into operation:—

(*a*) for the purposes of regulation 3(*a*), on 20th October 1995;

(*b*) for all other purposes on 1st November 1995.

(3) 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 6 of the principal regulations

2. In regulation 6 (Prepayment certificates)—

(*a*) For paragraph (1) there shall be substituted the following paragraph:—

"(1) Subject to the following provisions of this Regulation the Agency or a chemist on payment by any person of the prescribed sum may as soon as is reasonably practical grant that person a certificate (in these Regulations referred to as a "prepayment certificate")";

(*b*) In paragraph (2) the words from "and" where it first occurs to the end of the paragraph shall be omitted;

(*c*) In paragraph (6) for the words "the application therefor" there shall be substituted "payment of the prescribed sum".

(**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, relevant amending regulations are S.R. 1974 No. 58, S.R. 1980 No. 76, S.R. 1981 No. 63, S.R. 1993 No. 140 and S.R. 1995 No. 135

Amendment of regulation 15 of the principal regulations

3. In regulation 15 (Exemptions)—

(*a*) For paragraph (1)(*b*), there shall be substituted:—

"(*b*) a person who has attained the age of 60 years;";

(*b*) In paragraph (1)(*g*), after "Agency" there shall be inserted "or a chemist".

Sealed with the Official Seal of the Department of Health and Social Services on 19th October 1995.

(L.S.) *D. A. Baker*

Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 19th October 1995.

(L.S.) *R. Wilson*

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").

Regulation 2 amends the principal Regulations to allow chemists to sell prepayment certificates, whereas previously only the Central Services Agency was empowered to do so.

Regulation 3 amends the principal Regulations so that all persons who have attained the age of 60 years shall be exempt from prescription charges, whereas previously men had to have attained the age of 65 years. This amendment is required in order to comply with Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment in matters of social security (OJ No. L 006, 10.1.79, p. 24).