STATUTORY INSTRUMENTS

1965 No. 54

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (Abolition of Prescription Charges) Regulations 1965

Made - - - -	19*th January* 1965
Laid before Parliament	22*nd January* 1965
Coming into Operation	1*st February* 1965

The Minister of Health, in exercise of the powers conferred on him by section 38(3) of the National Health Service Act 1946(a) as amended by section 16 of the National Health Service (Amendment) Act 1949(b) and sections 1 and 7(6) of the National Health Service Act 1952(c) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and Commencement

1. These regulations may be cited as the National Health Service (Abolition of Prescription Charges) Regulations 1965 and shall come into operation on 1st February 1965.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"the Act" means the National Health Service Act 1946;

"hospital authority" means a Regional Hospital Board, a Hospital Management Committee, or the Board of Governors of a teaching hospital.

(2) The Interpretation Act 1889(d) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Abolition of Prescription Charges

3. The following regulations, that is to say—

(*a*) the regulations specified in column 1 of Part I of the Schedule to these regulations (which provide for the making and recovery, in the manner prescribed by the regulations, of charges in respect of the provision under Part IV of the Act of pharmaceutical services and for the consequential reduction of the sums which would otherwise be payable by an Executive Council to persons by whom those services are provided); and

(*b*) the regulations specified in column 1 of Part II of the Schedule to these regulations (which provide for the making and recovery, in the manner prescribed by the regulations, of charges in respect of the

(a) 9 & 10 Geo. 6. c. 81.
(b) 12, 13 & 14 Geo. 6. c. 93.
(c) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 25.
(d) 52 & 53 Vict. c. 63.

supply under Part II of the Act, as part of the hospital and specialist services, of drugs, medicines and appliances and for the consequential reduction of the sums which would otherwise be payable by a hospital authority to persons by whom those services are provided)

are hereby revoked to the extent specified in column 2 of Parts I and II of the said Schedule.

Consequential Amendments

4. The regulations specified in Part III of the Schedule to these regulations are hereby revoked or amended, in consequence of the preceding provisions of these regulations, to the extent specified.

Saving

5. In respect of the provision of any services before 1st February 1965, nothing in these regulations shall—

(*a*) affect the right of any person to recover on or after that date a charge authorised in respect of those services by the regulations revoked by these regulations;

(*b*) prevent an Executive Council or a hospital authority from reducing after that date the sums which would otherwise be payable by them to persons by whom the services have been provided, by the amount of the charges authorised in respect of those services by the regulations revoked by these regulations; or

(*c*) affect the commencement or continuation of any proceedings under regulation 17 of the National Health Service (Service Committees and Tribunal) Regulations 1956(**a**) as if that regulation had not been revoked.

SCHEDULE

Regulations Revoked or Amended

PART I

Regulations relating to the provision of pharmaceutical services under Part IV of the Act

Column 1	Column 2
Name of Regulations	*Extent of Revocation*
The National Health Service (General Medical and Pharmaceutical Services) Regulations 1962(**b**).	In regulation 24, the proviso; regulations 28, 30 and 34; in Part I of Schedule 1, paragraph 14(*h*); in Part I of Schedule 4, in the heading to paragraph 7 the words " other than prescribed charges ", in paragraph 7 the words " other than such charges as may be made in pursuance of the regulations " and in paragraph 9(4), the proviso; Schedule 6.
The National Health Service (General Dental Services) Regulations 1964(**c**).	Regulation 23; in regulation 27, the words " or drugs"; in regulation 30, paragraph (2).

(**a**) S.I. 1956/1077 (1956 I, p. 1554).
(**b**) S.I. 1962/2248 (1962 III, p. 3092).
(**c**) S.I. 1964/755 (1964 II, p. 1519).

PART II

Regulations relating to the supply of drugs, medicines and appliances under Part II of the Act

Column 1	Column 2
Name of Regulations	*Extent of Revocation*
The National Health Service (Hospital Charges for Drugs and Appliances) Regulations 1952(a).	The whole regulations.
The National Health Service (Hospital Charges for Drugs and Appliances) Amendment Regulations 1956(b).	The whole regulations.
The National Health Service (Hospital Charges for Drugs and Appliances) Regulations 1961(c).	The whole regulations.

PART III

Regulations revoked or amended in consequence of the revocation of regulations specified in Parts I to II of this Schedule

In the National Health Service (Service Committees and Tribunal) Regulations 1956:—

regulation 17 is hereby revoked;

in regulation 48(*c*) for the words "Regulations 10, 12 to 17, and" there shall be substituted the words "Regulations 10, 12 to 16, and".

Given under the official seal of the Minister of Health on 19th January 1965.

(L.S.)

Kenneth Robinson,
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations abolish, with effect from 1st February 1965, prescription charges payable under section 38(3) of the National Health Service Act 1946, (as amended) in respect of pharmaceutical services, and charges payable under section 1 of the National Health Service Act 1952, in respect of the supply of drugs, medicines and appliances under the hospital and specialist services. Consequential provisions are also made.

(a) S.I. 1952/1023 (1952 II, p. 2064). (b) S.I. 1956/1744 (1956 I, p. 1513).
(c) S.I. 1961/183 (1961 I, p. 294).