Statutory Document No. 49/13

National Health Service Act 2001

NATIONAL HEALTH SERVICE (CHARGES FOR DRUGS AND APPLIANCES) (AMENDMENT) REGULATIONS 2013

Approved by Tynwald:
Coming into Operation: *1 June 2013*

The Department of Health, after having consulted as required by section 42(5) of the National Health Service Act 2001, makes the following Regulations under section 32(1) of that Act.

1 Title

These Regulations are the National Health Service (Charges for Drugs and Appliances) (Amendment) Regulations 2013.

2 Commencement

If approved by Tynwald[1] these Regulations come into operation on xx.

3 Amendment of the National Health Service (Charges for Drugs and Appliances) Regulations 2004

(1) The National Health Service (Charges for Drugs and Appliances) Regulations 2004[2] are amended as follows.

(2) In regulation 1(2) (interpretation) after the definition of "patient"[3] insert the following—

> «"**pensionable age**" has the same meaning as in the Pensions Act 1995 (of Parliament) as it has effect in the Isle of Man[4];».

(3) In regulation 4(1) (exemptions)—

[1] As required by section 42(1) of the Act
[2] SD 22/04
[3] Definition of "patient" amended by regulation 2 of SD 728/05
[4] See SD 501/97

(a) in paragraph (c) for "the age of 60 years" substitute "pensionable age";

(b) for paragraph (e) substitute –

"(e) a person who is receiving one of the following –

(i) income support under the Social Security Contributions and Benefits Act 1992 (of Parliament) as it has effect in the Island[5] ("the 1992 Act"), or a dependant of such person;

(ii) income-based jobseeker's allowance under the Jobseekers Act 1995 (of Parliament)[6], as it has effect in the Island;

(iii) incapacity benefit under the 1992 Act, for a period in excess of six months; or

(iv) employed person's allowance under the 1992 Act;"; and

(c) after paragraph (i)add–

"(j) a person who is registered as a blind person in accordance with arrangements made under section 27 of the National Assistance (Isle of Man) Act 1951;".

14th February 2013

MADE

D M Anderson.

DAVID M ANDERSON
Minister for Health

[5] See SD 505/94

[6] See SD 8/96

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the principal Regulations which specify the charges payable for drugs and appliances supplied under Part 2 of the National Health Service Act 2001.

Regulation 4 introduces a definition of "pensionable age" into regulation 1 of the principal Regulations and amends the criteria under regulation 4 of the principal Regulations as to the categories of persons who are exempt from charges for drugs and appliances under regulations 2 and 3 of the principal Regulations. The effect of the changes is that persons who have reached State pension age (rather than age 60) and registered blind persons are exempt from charges, as are persons receiving income-based jobseeker's allowance, incapacity benefit or employed person's allowance.