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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 26**

**PUBLIC HEALTH**

**The Healthcare Improvement Scotland (Fees) Regulations 2016**

*Made* - - - - - *14th January 2016*  
*Laid before the Scottish*  
*Parliament* - - - - - *18th January 2016*  
*Coming into force* - - - - - *1st April 2016*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 10Z5 of the National Health Service (Scotland) Act 1978(1) and all other powers enabling them to do so.

In accordance with section 10Z5(1) of that Act they have consulted such persons, or groups of persons, as they consider appropriate.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Healthcare Improvement Scotland (Fees) Regulations 2016 and come into force on 1st April 2016.

(2) In these Regulations—

“the Act” means the National Health Service (Scotland) Act 1978;

“HIS” means Healthcare Improvement Scotland(2).

(3) In these Regulations, where a fee is expressed to be payable “per place”, the total fee payable in respect of the service is the sum shown multiplied by the maximum number of persons to whom the service may be provided in accordance with any condition for the time being in force in relation to registration of that service under the Act.

**Maximum fees**

2. For a service listed in column 1 of the Schedule the maximum fee which may be imposed by HIS in respect of—

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(1) 1978 c.29; section 10Z5 was inserted into the National Health Service (Scotland) Act 1978 (“the 1978 Act”) by section 108 of the Public Services Reform (Scotland) Act 2010 (“the 2010 Act”). Section 108(1) of the 1978 Act contains a definition of “prescribed”.

(2) Healthcare Improvement Scotland was established by section 10A of the 1978 Act which was inserted by section 108 of the 2010 Act.

- (a) any application for registration under section 10P (registration of independent health care services) of the Act is that shown in column 2 of the Schedule;
- (b) the annual continuation of such registration is that shown in column 3 of the Schedule;
- (c) any application made for the variation or removal of a condition in relation to any such registration is that shown in column 4 of the Schedule; and
- (d) any application for cancellation of any such registration is that shown in column 5 of the Schedule.

#### **Fees for new certificates**

**3.** For a service listed in column 1 of the Schedule the maximum fee which may be imposed by HIS in respect of issuing a new certificate of registration under section 10Z5(2)(d) of the Act is £100.

#### **Revocation**

- 4.** The Healthcare Improvement Scotland (Fees) Regulations 2011(3) are revoked.

St Andrew's House,  
Edinburgh  
14th January 2016

*SHONA ROBISON*  
A member of the Scottish Government

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulations 2 and 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
<i>Service</i>	<i>Application for Registration</i>	<i>Annual Continuation</i>	<i>Variation or Removal of Condition</i>	<i>Cancellation of Registration</i>
	<b>(£)</b>	<b>(£)</b>	<b>(£)</b>	<b>(£)</b>
Independent hospital	5,000	250 per place	100	100
Private psychiatric hospital	5,000	250 per place	100	100
Independent clinic	3,500	3,500	100	100

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations prescribe the maximum fees which may be imposed by Healthcare Improvement Scotland in respect of applications for registration or for cancellation of registration of independent health care services, the annual continuation of any such registration, and applications for the variation or removal of a condition of registration under the National Health Service (Scotland) Act 1978 (regulation 2 and the Schedule).

Regulation 3 prescribes the maximum fee for issuing a new certificate of registration.

Regulation 4 revokes the Healthcare Improvement Scotland (Fees) Regulations 2011.