
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 91

**Travelling Expenses and Remission of
Charges Regulations (Northern Ireland) 2004**

PART III

PAYMENTS AND REPAYMENTS

Payment of HS travel expenses

9.—(1) Subject to paragraphs (2) to (4), where a person is entitled in accordance with regulation 5 or 6 to a payment in respect of HS travel expenses –

- (a) he must make an application for payment to the provider; and
- (b) the provider must calculate the actual amount payable in accordance with these Regulations and make the payment.

(2) Where services are provided pursuant to arrangements made under Article 14A(1) of the Order or paragraph 13 of Schedule 3 to the Health and Personal Social Services (Northern Ireland) Order 1991(2), the application for payment must be made to, and the calculation and payment may be made by, either the provider or by the health service body which made those arrangements.

(3) A person who makes an application for payment in respect of HS travel expenses must sign a declaration of entitlement and provide such evidence of his entitlement and of his travel expenses as the provider, or as the case may be the health service body which made the arrangements, may require.

(4) Payment of HS travel expenses may be made before the expenses are incurred.

Claims for repayment

10.—(1) A person who is entitled under these Regulations to full or partial remission of a HS charge or to full or partial payment in respect of HS travel expenses and who pays such a charge or such travel expenses without exercising his right to remission or payment, is entitled to be repaid that amount which would have been remitted or paid.

(2) A person who wishes to exercise his right to repayment under paragraph (1) must make a claim to the Department on a form provided or approved by the Department for this purpose.

(3) A claim under paragraph (2) must be made within three months of the date on which the payment of the HS charge or the HS travel expenses was made or within such longer period as the Department may for good cause allow.

(4) Paragraphs (2) to (4) of regulation 7 (Claims to entitlement) apply to a claim under this regulation.

(1) Article 14A was inserted by paragraph 2 of Schedule 1 to S.I. 1992/3204 (N.I. 20)

(2) S.I. 1991/194 (N.I. 1)

Repayments

11.—(1) Where the Department is satisfied that a claimant is entitled to any repayment under regulation 10, it must –

- (a) in the case of a repayment to be made –
 - (i) in respect of a charge made by an HSS trust for an appliance specified in Schedule 1 to the Charges Regulations (Charges for Fabric Supports and Wigs), calculate the amount payable and notify in writing the HSS trust of the claimant’s entitlement and the amount to be paid,
 - (ii) in respect of HS travel expenses incurred by a person in attending a hospital or any other place managed by an HSS trust notify in writing the HSS trust of the claimant’s entitlement; or
- (b) in any other case, cause a repayment to be made to the claimant in such manner as appears to the Department to be appropriate in the circumstances of the particular case.

(2) Where a HSS trust receives notification as mentioned in paragraph (1), it must calculate any amount payable in respect of HS travel expenses in accordance with these Regulations and make any repayment due to a claimant in respect of such travel expenses or HS charge.

(3) A person who is entitled to repayment in respect of HS travel expenses must sign a declaration of entitlement and provide such evidence of his entitlement and of his travel expenses as the health service body which is making the repayment may require.

Reimbursement of payments made in respect of HS travel expenses

12. Where a provider makes a payment under regulation 9(1) or (2) or a repayment under regulation 11(1)(a), in respect of HS travel expenses incurred by a person who is receiving services from the provider, the amount of the payment or repayment in question may be reimbursed to the provider by the health service body for which those services are provided.