
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 507

**The Recovery of Health Services Charges
(Amounts) Regulations (Northern Ireland) 2006**

Apportionment of liability to pay health services charges

- 5.—(1) This regulation applies where each of two or more persons (“the compensators”)—
- (a) has made a compensation payment⁽¹⁾ to or in respect of a person in consequence of any injury suffered by him; or
 - (b) is, or is alleged to be, liable to any extent in respect of the injury.
- (2) This paragraph applies where—
- (a) one of the compensators applies for a certificate under Article 4 and, at the time of making the application, requests that the liability to pay the relevant health services charges be apportioned between the compensators; and
 - (b) before it issues the certificate, the the Department receives sufficient evidence to enable it to determine how that liability is to be apportioned.
- (3) This paragraph applies where—
- (a) a compensator to whom a certificate has been issued, requests that the liability to pay the relevant health services charges be apportioned between the compensators; and
 - (b) the the Department receives sufficient evidence to enable it to determine how that liability is to be apportioned between the compensators.
- (4) Where paragraph (2) or (3) applies—
- (a) the the Department shall determine or, in the case of a compensator to whom a certificate has been issued, re-determine, the liability of each compensator to pay the relevant health services charges;
 - (b) for the purposes of sub-paragraph (a), the the Department shall apportion between the compensators the amount of relevant health services charges that would be payable if there were only one compensator;
 - (c) in the case of a compensator to whom a certificate has not been issued, the certificate when issued to him shall specify the liability to pay the relevant health services charges and the share of that liability that has been apportioned to him; and
 - (d) in the case of a compensator to whom a certificate has been issued, when the the Department re-determines his liability to pay the relevant health services charges, paragraph (4) of Article 8 (review of certificates) shall apply as if the re-determination were a review under that Article.

(1) See Article 3(3) of the 2006 Order for the definition of compensation payment