
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Recovery of Health Services Charges (Northern Ireland) Order 2006 provides for a scheme for the recovery of charges in cases where an injured person who receives a compensation payment in respect of his injury has received health services hospital treatment or ambulance services. The charges are specified in certificates issued by the Department for Social Development and are payable by certain persons who pay compensation to the injured person.

These Regulations make provision as to the following matters in connection with the scheme—

- (a) the particulars to be included in applications for certificates and the period within which certain applications must be made (regulation 2);
- (b) the circumstances where there may be a reduction of the amount of health services charges where the injured person agrees to have shared responsibility for the injury (regulation 3);
- (c) particulars with which a person who is issued with a certificate is entitled to be provided (regulation 4);
- (d) the classes of people who must provide information relating to the injured person to the Department (whether of their own accord or following a request from the Department) and the timeframes within which the information must be provided (regulation 5);
- (e) the manner in which the Department must make payments of health services charges to hospitals and ambulance trusts (including provision where the body who provided the services for which payment is due is no longer in existence) and the information that must accompany those payments (regulation 6);
- (f) application of the scheme in respect of structured settlements (regulation 7), interim payments (regulation 8) and payments into court (regulation 9);
- (g) the limitation of the liability of insurers in respect of compensation payments where the insured person's liability to pay in respect of the injury is greater than that covered by the insurance policy (regulation 10);
- (h) the exclusion of payments made under the Criminal Injuries Compensation (Northern Ireland) Order 2002 and the Vaccine Damage Payments Act 1979 from the scheme (regulation 11).