EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Recovery of Health Services Charges (Amounts) Regulations (Northern Ireland) 2006 ("the principal Regulations), which make provision about the charges payable under the scheme for the recovery of health services charges. The scheme applies 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 persons who pay compensation to the injured person. The charges in each case are calculated by reference to a tariff of charges provided for by the principal Regulations.

The Regulations also amend the Recovery of Health Services Charges (General) Regulations (Northern Ireland) 2006 ("the 2006 Regulations") which make further provision as to various matters in connection with the scheme.

Amendments made to the principal Regulations by regulation 2 and Schedule 1 increase the charges in respect of injuries which occur on or after 1st April 2009. Where the injured person is provided with health services ambulance services, the charge is increased from £165 to £171 for each occasion. Where the injured person receives health services treatment, but is not admitted to hospital, the charge is increased from £547 to £566. The daily charge for health services in-patient treatment is increased from £672 to £695. The maximum charge in respect of an injury is increased from £40,179 to £41,545.

Regulation 2 and Schedule 1 also amend the principal Regulations to make provision for the amount in relation to health services treatment in a hospital in the certificate to be nil where a charge for the provision of that treatment has been made in respect of the injured person in accordance with Article 42 of the Health and Personal Social Services (Northern Ireland) Order 1972, there being no applicable exemption from charges under the Provision of Health Services to Persons not Ordinarily Resident Regulations (Northern Ireland) 2005, and the compensation payment includes an amount for this charge. This applies to determinations of health services charges which take place on or after 1 April 2009.

Regulation 3 and Schedule 2 amend the 2006 Regulations to add to the list of information to be provided by certain classes of persons under the scheme.

Regulation 4 is a saving provision which maintains the current charges for incidents occurring before 1st April 2009.