
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 42

The Provision of Health Services to Persons Not Ordinarily Resident (Amendment) Regulations (Northern Ireland) 2019

Regulations 21A, 21B and 21C

7. After regulation 21 (visitors exempt from charges for treatment the need for which arose during the visit only) of the principal Regulations insert—

“Visitors exempt from charges – Irish or British citizens ordinarily resident in the Republic of Ireland

21A. No charge may be made or recovered in respect of any services forming part of health services, consisting of treatment the need for which arose during the visit, provided to a visitor who is ordinarily resident in the Republic of Ireland and who is—

- (a) an Irish citizen; or
- (b) a British citizen.

Visitors with UK reciprocal healthcare entitlements before exit day

21B.—(1) No charge may be made or recovered in respect of any services forming part of health services, consisting of treatment the need for which arose during the visit, provided on or after exit day to a visitor who is ordinarily resident in an EEA State or Switzerland, was ordinarily resident there immediately before exit day and either—

- (a) immediately before exit day held a valid UK reciprocal healthcare document; or
- (b) at the time that the treatment which constitutes the relevant services was provided, would have been eligible to be issued with a UK reciprocal healthcare document if exit day had not occurred.

(2) In this regulation—

“competent member State” means a competent member State within the meaning of regulation (EC) 883/2004;

“insured person” means an insured person within the meaning of regulation (EC) 883/2004; and

“UK reciprocal healthcare document” means an S1 healthcare certificate, A1 healthcare certificate, European Health Insurance Card or equivalent document issued by a competent institution in the United Kingdom to an insured person for whom the United Kingdom, immediately before exit day, was or would have been the competent member State.

EU Exit: transitional arrangements

21C.—(1) No charge may be made or recovered in respect of any services forming part of health services provided on or after exit day to a visitor who is ordinarily resident in an

EEA State or Switzerland, as part of a course of planned treatment which was authorised before exit day in accordance with regulation (EC) 883/2004.

(2) No charge may be made or recovered in respect of any services forming part of health services consisting of treatment the need for which arose during the visit, provided on or after exit day to a visitor whose visit to Northern Ireland began before exit day and who held either—

- (a) a European Health Insurance Card issued by the competent institution of an EEA state (other than the United Kingdom) or Switzerland which was valid when—
 - (i) the visit began; and
 - (ii) the need for treatment arose; or
- (b) a Provisional Replacement Certificate issued by the competent institution of an EEA State (other than the United Kingdom) or Switzerland which was valid when the treatment was provided.

(3) No charge may be made or recovered in respect of any services forming part of health services provided to a visitor who is an EEA national or Swiss national who began receiving an education or training in the United Kingdom before exit day where those services—

- (a) consist of treatment the need for which arose during that education or training (taking account of the nature of the treatment and the expected duration of the education or training); and
- (b) are provided on or after exit day but before the end of that education or training.

(4) No charge may be made or recovered in respect of any services forming part of health services provided before 31st December 2020 to a person who is a visitor by virtue of section 39 of the Immigration Act 2014⁽¹⁾ and who is eligible for leave to remain under Appendix EU to the immigration rules⁽²⁾.

(5) Paragraph (4) applies whether or not the person has applied for leave to remain under Appendix EU to the immigration rules.”.

(1) 2014 c. 22

(2) Appendix EU was amended by the statement of changes in immigration rules presented to Parliament on 7th March 2019 (HC 1919)