

EXECUTIVE NOTE

The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment (No. 3) Regulations 2006 SSI/2006/440

1. The above Regulations are being made in exercise of the powers conferred on the Scottish Ministers by sections 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative resolution.

Policy Objectives

2. The purpose of these Regulations is to amend the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (“the principal Regulations”) to ensure that, as a result of revised student grant and bursary arrangements in England, Wales and Northern Ireland, students from these countries studying in Scotland and funded by their respective administrations are not disadvantaged in terms of their eligibility for help with health charges under the NHS Low Income Scheme (LIS).

3. These amendments will make provision:

that any sum in excess of that set out in regulation 57(4)(b) of the English Education (Student Support) Regulations 2006 paid as part of a maintenance grant pursuant to regulation 48 of those Regulations should be disregarded in the calculation of a student’s grant income;

that any sum in excess of the sum set out in regulation 33(4)(b) of the Assembly Learning Grants and Loans (Higher education) (Wales) Regulations 2006 paid as part of a maintenance grant pursuant to regulation 29 of those Regulations should be disregarded in the calculation of a student’s grant income;

that any sum in excess of the sum set out as the maintenance grant amount in paragraphs (b), (c) or (d) of regulation 57(4) of the Education (Student Support) Regulations (Northern Ireland) 2006 (the amounts of which will differ according to the level of maintenance grant a student qualifies for under those Regulations) paid as part of a maintenance grant under regulation 49 of those Regulations should be disregarded in the calculation of a student’s grant income.

Financial Effects

4. None – the action preserves the current NHS charge exemption/remission position for the students that are eligible under the terms of the NHS LIS.

Consultation

5. There has been no consultation in respect of these Regulations. This is normal practice when regulations are introduced to take account of changes to the benefit regime. And as stated above the purpose of the amendments is to preserve the current levels of NHS charge exemption or remission that are available to students across the UK.