
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 71

**The Personal Injuries (NHS Charges) (Amounts)
(Scotland) Amendment Regulations 2011**

Amendment of the Personal Injuries (NHS Charges) (Amounts) (Scotland) Regulations 2006

2.—(1) The Personal Injuries (NHS Charges) (Amounts) (Scotland) Regulations 2006⁽¹⁾ are amended as follows.

(2) In regulation 2C(1)(2) (amount of NHS charges – injuries occurring on or after 1st April 2010) after “1st April 2010” insert “and before 1st April 2011”.

(3) After regulation 2C insert—

“2D. – Amount of NHS charges – injuries occurring on or after 1st April 2011

(1) Subject to the following paragraphs of this regulation and regulations 3 and 3A, a certificate relating to an injury which occurs on or after 1st April 2011 shall, for the purpose of section 153(2), specify—

- (a) the sum of £181 for each occasion on which, as a result of an injury, the injured person was provided with NHS ambulance services for the purpose of taking the injured person to a hospital for NHS treatment; and
- (b) where the injured person received NHS treatment at a hospital in respect of the injury, either—
 - (i) if the person was not admitted to hospital, the sum of £600; or
 - (ii) if the injured person was admitted to hospital, the sum of £737 for each day or part day of admission.

(2) For the purposes of paragraph (1)(a), the reference to taking an injured person to a hospital includes taking that person from one hospital to another.

(3) Where the injured person was admitted to hospital on one day and discharged on another day, the day of discharge shall be disregarded for the purposes of paragraph (1)(b)(ii).

(4) The amount which a certificate may specify under paragraph (1)(a) or (1)(b), or both, must not exceed £44,056 (“the maximum”).

(5) Where—

- (a) amounts fall to be specified under both paragraph (1)(a) and paragraph (1)(b); and
- (b) the aggregate of those amounts would exceed the maximum,

the amount to be specified under paragraph (1)(b) is to be reduced by the difference between the maximum and the aggregate of those amounts.”

(4) In regulation 3(2) (amount of NHS charges: further provision) for “regulation 2, 2A, 2B or 2C” substitute “regulation 2, 2A, 2B, 2C or 2D”.

⁽¹⁾ S.S.I. 2006/588; which was amended by S.S.I. 2008/96, 2009/193 and 2010/42.

⁽²⁾ Regulation 2C was inserted by the Personal Injuries (NHS Charges) (Amounts) (Scotland) Amendment Regulations 2010 (S.S.I. 2010/42).

(5) In regulation 6 (adjustment of amounts where certificates are issued by the Scottish Ministers and the Secretary of State)—

- (a) in paragraph (1)(b) for “regulation 2(4), 2A(4), 2B(4) or 2C(4)” substitute “regulation 2(4), 2A(4), 2B(4), 2C(4) or 2D(4)”; and
- (b) in paragraph (2)(a) for “regulation 2(4) and (5), 2A(4) and (5), 2B(4) and (5) or 2C(4) and (5)” substitute “regulation 2(4) and (5), 2A(4) and (5), 2B(4) and (5), 2C(4) and (5) or 2D(4) and (5)”.