

2022 No. 213

NATIONAL HEALTH SERVICE

**The National Health Service (Charges to Overseas Visitors)
(Scotland) Amendment (No. 2) Regulations 2022**

Made - - - - at 11.00 a.m. on 16th June 2022

Laid before the Scottish Parliament at 2.45 p.m. on 16th June 2022

Coming into force - - at 5.00 p.m. on 16th June 2022

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 98 and 105 of the National Health Service (Scotland) Act 1978(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the National Health Service (Charges to Overseas Visitors) (Scotland) Amendment (No. 2) Regulations 2022 and come into force at 5.00 p.m. on 16 June 2022.

Amendment of the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989

2. In schedule 1 (diseases for the treatment of which no charge is to be made) of the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989(b)—

- (a) in the appropriate alphabetical position insert “Monkeypox”,
- (b) in the appropriate alphabetical position insert “Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)”,
- (c) omit “Wuhan novel coronavirus (2019-nCoV)”.

MAREE TODD

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
At 11.00 a.m. on 16th June 2022

(a) 1978 c. 29. Section 98 was amended by the Health and Medicines Act 1988 (c. 49), section 7(13) and (14). Section 105(7), which was amended by the Health Services Act 1980 (c. 53), schedule 6, paragraph 5 and schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), schedule 9, paragraph 24 and the Health Act 1999 (c. 8), schedule 4, paragraph 60, contains provisions relevant to the exercise of the powers under which these Regulations are made. Section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (c. 46), section 53.

(b) S.I. 1989/364, relevantly amended by S.I. 1994/1770, S.S.I. 2004/369, S.S.I. 2009/177, S.S.I. 2014/70 and S.S.I. 2020/17.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 (“the 1989 Regulations”), which provide for the making and recovery of charges for relevant services provided under the National Health Service (Scotland) Act 1978. Schedule 1 of the 1989 Regulations, as introduced by regulation 3 of the 1989 Regulations, contains a list of diseases for the treatment of which no charge is to be made.

Regulation 2 amends the 1989 Regulations to insert “Monkeypox” and “Severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2)” into schedule 1 and remove “Wuhan novel coronavirus (2019-nCoV)” which is a name no longer used from that schedule. A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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