
STATUTORY INSTRUMENTS

1991 No. 438

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (Charges to
Overseas Visitors) Amendment Regulations 1991**

<i>Made</i>	- - - -	<i>4th March 1991</i>
<i>Laid before Parliament</i>		<i>8th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

The Secretary of State for Health, in exercise of powers conferred by section 121 of the National Health Service Act 1977⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (Charges to Overseas Visitors) Amendment Regulations 1991 and come into force on 1st April 1991.

Amendment of Regulations

2. The National Health Service (Charges to Overseas Visitors) Regulations 1989⁽²⁾ are amended as follows—

- (a) by the insertion, after the definition of “member State” in regulation 1(2), of the definition:
““NHS trust” means a National Health Service trust established under Part I of the National Health Service and Community Care Act 1990⁽³⁾;
- (b) by the deletion in the definition of “services forming part of the health service” in regulation 1(2) of the words from “other than accommodation” to the end of the definition and the substitution of the following:
“and includes accommodation, services and other facilities provided by an NHS trust, but does not include any accommodation, service or facility made available or provided under section 65 of the Act (accommodation and services for private patients of health

(1) 1977 c. 49; section 121 was amended by section 7(12) and (14) of the Health and Medicines Act 1988 (c. 49); see section 128(1) of the National Health Service Act 1977 for the definition of “regulations”.
(2) S.I. 1989/306.
(3) 1990 c. 19.

authorities), section 7(2) of the Health and Medicines Act 1988(4) (powers to make more income available for the health service) or paragraph 14 of Schedule 2 to the National Health Service and Community Care Act 1990 (accommodation and services for private patients of NHS trusts);”

- (c) by the insertion, in the definition of “treatment the need for which arose during the visit”, after the word “Authority” of the words “or NHS trust”;
- (d) by the insertion in paragraphs (1) and (2) of regulation 2 after the word “Authority” in each place where it occurs of the words “or NHS trust”;
- (e) by the insertion after paragraph (b) of regulation 3 of the following—
 - “(bb) consisting of the provision of family planning services; or”;
- (f) by the insertion in paragraph (a) of regulation 4, after the word “Authority” of the words “or NHS trust”;
- (g) by the insertion in paragraphs (1) and (2) of regulation 8 after the word “Authority” in each place where it occurs of the words “or NHS trust”;
- (h) by the deletion from Schedule 2 of the entries “German Democratic Republic” and “Portugal”.

Signed by authority of the Secretary of State for Health.

4th March 1991

Stephen Dorrell
Parliamentary Under Secretary of State,
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 1989 (“the 1989 Regulations”).

The principal amendments reflect the establishment from 1st April 1991 of National Health Service trusts under Part I of the National Health Service and Community Care Act 1990. A further amendment provides that charges cannot be made for family planning services. The Regulations also remove the German Democratic Republic and Portugal from Schedule 2 to the 1989 Regulations (countries or territories in respect of which the United Kingdom Government has entered into a reciprocal agreement).