
STATUTORY INSTRUMENTS

1994 No. 1535

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (Charges to Overseas
Visitors) (Amendment) Regulations 1994**

<i>Made</i>	- - - -	<i>9th June 1994</i>
<i>Laid before Parliament</i>		<i>10th June 1994</i>
<i>Coming into force</i>	- -	<i>1st July 1994</i>

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

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Charges to Overseas Visitors) (Amendment) Regulations 1994 and shall come into force on 1st July 1994.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Charges to Overseas Visitors) Regulations 1989(2).

Amendment of regulation 1 of the principal Regulations

2. Paragraph (2) of regulation 1 of the principal Regulations (citation, commencement and interpretation) shall be amended by the deletion in the definition of “member State” of the words “member State of the Communities” and the substitution of “State which is a Contracting Party to the Agreement on the European Economic Area(3) but until that Agreement comes into force in relation to Liechtenstein does not include the State of Liechtenstein”.

Amendment of regulation 3 of the principal Regulations

3. Regulation 3 of the principal Regulations (services exempted from charges) shall be amended by the insertion after the words “accident and emergency department” in paragraph (a) of the

(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, as amended by S.I. 1991/438.
(3) See the European Economic Area Act 1993 (c. 51).

word “or”, and the deletion in that paragraph of the words “, or dental or ophthalmic emergency department”.

Amendment of regulation 4 of the principal Regulations

4. Regulation 4 of the principal Regulations (overseas visitors exempt from charges) shall be amended—

- (a) by the insertion at the end of paragraph (o) of the word “; or”;
- (b) by the insertion after paragraph (o) of the following paragraph:—

- “(p) who—
 - (i) is not a national of a Member State, and
 - (ii) is a national of a State which is a signatory to the European Social Charter⁽⁴⁾, and
 - (iii) is not entitled to be provided with such services under a reciprocal agreement specified in Schedule 2, and
 - (iv) is without sufficient resources to pay the charge.”.

Amendment of Schedules to principal Regulations

5.—(1) In Schedule 1 to the principal Regulations (diseases for the treatment of which no charge is to be made)—

- (a) Part I (notifiable diseases) shall be amended by the insertion after “Cholera” of “Food poisoning”;
- (b) Part II (diseases to which public health enactments applied) shall be amended by—
 - (i) the deletion of the entries “Acute meningitis”, “Infective jaundice”, “Lassa fever” and “Marburg disease”⁽⁵⁾;
 - (ii) the insertion in the appropriate places in the alphabetical order, of the following entries:—

- “Meningitis
- Meningococcal Septicaemia (without meningitis)
- Mumps
- Rubella
- Viral hepatitis”.

(2) Schedule 2 to the principal Regulations (countries or territories in respect of which the United Kingdom Government has entered into a reciprocal agreement) shall be amended by—

- (a) the deletion of the entries “Austria”, “Czechoslovakia”, “Finland” and “Norway”;
- (b) the insertion in the appropriate places in the alphabetical order, of the following entries:—

- “Barbados
- Czech Republic

(4) See Cmnd. 1667. The European Social Charter was opened for signature at Turin on 18th October 1961, and entered into force on 26th February 1965. Copies of Cmnd. 1667, which is out of print, can be obtained via Her Majesty’s Stationery Office (Photocopies) from the British Library Lending Division.

(5) “Lassa fever and Marburg disease are covered by “viral haemorrhagic fever” as is Argentine haemorrhagic fever (Junin), Bolivian haemorrhagic fever (Machupo), Chikungunya haemorrhagic fever, Congo/Crimean haemorrhagic fever, Dengue fever, Ebola virus disease, haemorrhagic fever with renal syndrome (Hantoon), Kyasanur forest disease, Omsk haemorrhagic fever and Rift Valley disease”.

Russian Federation

Slovak Republic”; and

- (c) the insertion at the end of the entry “Union of Soviet Socialist Republics” of the words “except the States of Estonia, Latvia, Lithuania and the Russian Federation”.

Signed by authority of the Secretary of State for Health

9th June 1994

Tom Sackville
Parliamentary Under Secretary of State,
Department of Health

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 1989 (“the principal Regulations”) which provide for the payment of charges for accommodation, services and other facilities provided as part of the health service in respect of persons not ordinarily resident in the United Kingdom (“overseas visitors”).

Regulation 2 amends the definition in the principal Regulations of “member State” to refer to a State which is a Contracting Party to the Agreement on European Economic Area (“the EEA”), which came into existence on 1st January 1994, and extended the European Community provisions on freedom of movement and rights of residence to EEA nationals resident in the EEA.

Regulation 3 amends regulation 3(a) of the principal Regulations by removing services provided in a dental or ophthalmic emergency department from the category of services for which no charge may be made to overseas visitors.

Regulation 4 amends regulation 4 of the principal Regulations (overseas visitors exempt from charges) by inserting an additional exemption from charging in respect of certain nationals of states which are not states of the European Communities or the European Economic Area but are signatories to the European Social Charter.

Regulation 5(1) amends the lists, in Schedules 1 and 2 to the principal Regulations, of diseases for the treatment of which no charge is to be made, and regulation 5(2) makes amendments to the lists, in Schedule 2 to the principal Regulations, of countries and territories in respect of which the United Kingdom Government has entered into a reciprocal agreement for the provision of health services.