
STATUTORY INSTRUMENTS

1996 No. 1503

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service
(Wheelchair Charges) Regulations 1996**

<i>Made</i>	- - - -	<i>10th June 1996</i>
<i>Laid before Parliament</i>		<i>10th June 1996</i>
<i>Coming into force</i>	- -	<i>1st July 1996</i>

The Secretary of State for Health, in exercise of powers conferred on him by sections 81(a), 126(4) and (5) and 128(1) of the National Health Service Act 1977⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Wheelchair Charges) Regulations 1996 and shall come into force on 1st July 1996.

(2) In these Regulations, unless the context otherwise requires—

“agent” means a person who is authorised or who is appointed to act on behalf of a user, including a user who is under the age of 16 years;

“standard wheelchair” means a wheelchair which is no more expensive than that which is, in the opinion of the NHS trust, clinically necessary for the user;

“user” means a person who, in the opinion of an NHS trust, having regard to his physical, or physical and mental, condition, requires the use of a wheelchair.

Charge, and calculation of charge, for the supply of a wheelchair

2.—(1) Where an NHS trust supplies at the request of a user, or at the request of his agent, a wheelchair of a more expensive type than a standard wheelchair, the NHS trust may make and recover from the user, or his agent, a charge in relation to that supply.

(1) 1977 c. 49; section 81(a) was amended by paragraph 22 of Schedule 2 to the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”); section 126(4) was amended, and subsection (5) added, by section 65(2) of the 1990 Act; section 128(1), which is cited for the definitions of “prescribed” and “regulations”, was amended by section 26(2) of the 1990 Act.

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(2) The amount of any charge to be made and recovered under paragraph (1) above shall be the difference in cost to the health service between—

- (a) the wheelchair supplied for the user; and
- (b) the standard wheelchair.

Application of Regulations

3. These Regulations shall apply only to England.

Signed by authority of the Secretary of State for Health

10th June 1996

John Bowis
Parliamentary Under Secretary of State
Department of Health

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for charges to be made and recovered by an NHS trust for the supply, at the request of a user, of a wheelchair of a more expensive type than, in the opinion of the NHS trust, is clinically necessary for the user.