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STATUTORY INSTRUMENTS

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**1997 No.2455 (S.160)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment (No.2) Regulations 1997

<i>Made</i>	- - - -	<i>13th October 1997</i>
<i>Laid before Parliament</i>		<i>14th October 1997</i>
<i>Coming into force</i>	- -	<i>3rd November 1997</i>

The Secretary of State, in exercise of powers conferred on him by sections 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(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 (Travelling Expenses and Remission of Charges) (Scotland) Amendment (No.2) Regulations 1997 and shall come into force on 3rd November 1997.

(2) In these Regulations “the principal Regulations” means the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988(2).

**Amendment to Schedule 1 to the principal Regulations**

2.—(1) Table A of Part I of Schedule 1 to the principal Regulations shall be amended in accordance with paragraph (2) of this regulation.

(2) In column (2), in the second entry relating to regulation 66A for “paragraph 7B(1) of Schedule 1” there shall be substituted “paragraph 12 of Schedule 1B”.

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(1) 1978 c. 29; section 75A was inserted by the Social Security Act 1988 (c. 7), section 14(2), and amended by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(13); section 105(7) which was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24, contains provisions relevant to the making of regulations; section 108(1) contains definitions of “prescribed” and “regulations” relevant to exercise of the statutory powers under which these Regulations are made.

(2) S.I.1988/546; relevant amending instruments are S.I. 1990/551 and 1665, 1991/575, 1992/754, 1993/642, 1995/700 and 2381, 1996/429 and 2391 and 1997/1012.

### **Further amendment to Schedule 1 to the principal Regulations**

3.—(1) Table B of Part II of Schedule 1 to the principal Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In column (2), for the first to the fifth entries inclusive relating to Schedule 2, there shall be substituted the following entries—

“As if in column (1) of the Table in paragraph 1, for heads (b) and (c) of subparagraphs (1) and (2) there were substituted the following heads in each of those subparagraphs—

- “(b) less than 18 and in respect of whom an amount is applicable under Schedule 3;
- (c) less than 18 who—
  - (i) satisfies the condition in paragraph 11;
  - (ii) is undergoing youth training; or
  - (iii) is in remunerative work;”.

As if in column (1) of the Table in paragraph 1, for subparagraph (3) there were substituted—

“couple—

- (a) except where head (b) applies, where both members are aged less than 18;
- (b) where both members are aged less than 18 and—
  - (i) at least one of them is undergoing youth training;
  - (ii) at least one of them is in remunerative work;
  - (iii) in respect of at least one of them an amount is applicable under paragraph 2;
  - (iv) at least one of them satisfies the conditions in paragraph 11; or
  - (v) in respect of at least one of them an amount is applicable under Schedule 3;
- (c) where one member is aged not less than 18;
- (d) where both members are aged not less than 18.”.

As if in column (2) of the Table in paragraph 1, for the amount applicable to heads (b) and (c) there were the amount shown as applicable to head (d) and as if heads (e) to (g) were omitted.

As if paragraph 1A were omitted.”.

St Andrew’s House,  
Edinburgh  
13th October 1997

*Sam Galbraith*  
Minister for Health, Scottish Office

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988 which provide for the remission and repayment of certain charges which would otherwise be payable under the National Health Service (Scotland) Act 1978 and for the payment of travelling expenses incurred in attending a hospital.

Regulation 2 takes account of changes in the Income Support (General) Regulations relating to financial disregards for deaf students.

Regulation 3 amends the modifications relating to the calculation of applicable amounts.

These Regulations do not impose a charge on business.