
STATUTORY INSTRUMENTS

1998 No. 2772 (S.161)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 1998

<i>Made</i>	- - - -	<i>6th November 1998</i>
<i>Laid before Parliament</i>		<i>16th November 1998</i>
<i>Coming into force</i>	- -	<i>15th December 1998</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 Regulations 1998 and shall come into force on 15th December 1998.

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

Amendment of regulation 3 of the principal Regulations

2. In paragraph (2)(b) of regulation 3 of the principal Regulations (entitlement to full remission and payment) after the word “Act” there shall be added the words “or of section 20(1) of the National Health Service (Primary Care) Act 1997(3)”.

(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 the 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 and 2049, 1995/700 and 2381, 1996/429 and 2391 and 1997/1012 and 2455.

(3) 1997 c. 46.

Amendment of regulation 5 of the principal Regulations

3.—(1) Regulation 5 of the principal Regulations (persons entitled to remission in part or payment in part) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (2) after the words “section 71(1) of the Act” there shall be inserted the words “or of section 20(1) of the National Health Service (Primary Care) Act 1997”.

(3) For sub-paragraph (b) of paragraph (4) there shall be substituted—

“(b) in the case of a charge—

(i) for dental treatment or for the supply of a dental appliance under Part II of the Act,
or

(ii) for dental treatment under Part I of the National Health Service (Primary Care) Act 1997,

the charge made for one course of treatment, including any charge made for a dental appliance supplied in that course of treatment;”.

(4) In paragraph (4)(c) after the word “Act” there shall be inserted the words “or under Part I of the National Health Service (Primary Care) Act 1997”.

St Andrew’s House,
Edinburgh
6th November 1998

Sam Galbraith
Minister for Health, Scottish Office

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.

Regulations 2 and 3 amend regulations 3 and 5 respectively of the principal Regulations so as to provide for remission and repayment of charges for treatment provided under pilot schemes for the provision of personal dental services under the National Health Service (Primary Care) Act 1997.