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STATUTORY INSTRUMENTS

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**2019 No. 516**

**The National Health Service (Charges to Overseas Visitors) (Amendment etc.) (EU Exit) Regulations 2019**

**New regulation 24A**

**8.** After regulation 24 (treatment the need for which arose during the visit) of the Principal Regulations insert—

**“EU exit: transitional arrangements**

**24A.**—(1) No charge may be made or recovered in respect of any relevant services provided on or after exit day to an overseas visitor who is ordinarily resident in an EEA state or Switzerland, as part of a course of treatment which was authorised before exit day in accordance with Regulation (EC) No 883/2004 or Regulation (EEC) No 1408/71.

(2) No charge may be made or recovered in respect of any relevant services consisting of treatment the need for which arose during the visit, provided on or after exit day to an overseas visitor whose visit to the United Kingdom began before exit day and who held either—

- (a) a European Health Insurance Card issued by the competent institution of an EEA state (other than the United Kingdom) or Switzerland which was valid when—
  - (i) the visit began; and
  - (ii) the need for the treatment arose; or
- (b) a Provisional Replacement Certificate issued by the competent institution of an EEA state (other than the United Kingdom) or Switzerland which was valid when the treatment was provided.

(3) No charge may be made or recovered in respect of any relevant services provided to an overseas visitor who is a national of an EEA state or Switzerland who began receiving education or training in the United Kingdom before exit day where those services—

- (a) consist of treatment the need for which arose during that education or training (taking account of the nature of the treatment and the expected duration of the education or training); and
- (b) are provided on or after exit day but before the end of that education or training.

(4) No charge may be made or recovered in respect of any relevant services provided before 31st December 2020 to a person who is an overseas visitor by virtue of section 39 of the 2014 Act<sup>(1)</sup> and who may be granted leave to remain in the United Kingdom by virtue of Appendix EU to the immigration rules<sup>(2)</sup> (EU citizens and family members).

(5) Paragraph (4) applies whether or not the person has applied for or has been granted leave to remain under Appendix EU to the immigration rules.”.

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<sup>(1)</sup> 2014 c.22.

<sup>(2)</sup> Appendix EU was amended by the statement of changes in immigration rules presented to Parliament on 7th March 2019 (HC 1919).

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**Status:** *This is the original version (as it was originally made).*

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