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WELSH STATUTORY INSTRUMENTS

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**2001 No. 3322 (W.275)**

**NATIONAL HEALTH SERVICE, WALES**

The National Health Service (Travelling  
Expenses and Remission of Charges)  
(Amendment) (No.2) (Wales) Regulations 2001

*Made* - - - - *28th September 2001*

*Coming into force* - - *1st October 2001*

The National Assembly for Wales in exercise of the powers conferred upon it by sections 83A, 126(4) and 128(1) of the National Health Service Act 1977 (1) hereby makes the following Regulations:

**Citation, commencement, interpretation and application**

1.—(1) These Regulations may be cited as the National Health (Travelling Expenses and Remission of Charges) (Amendment) (No.2) (Wales) Regulations 2001 and shall come into force on 1st October 2001.

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

(3) These Regulations apply to Wales only.

**Amendment of regulation 4 of the principal Regulations**

2. In regulation 4 of the principal Regulations (description of persons entitled to full remission and payment), there shall be added at the end of paragraph (m) the word “or” and the following paragraph—

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- (1) [1977 c. 49](#); section 83A was inserted by section 14(1) of the Social Security Act [1988 \(c. 7\)](#) and amended by paragraph 6 of Schedule 2 to the Health and Medicines Act [1988 \(c. 49\)](#), by paragraph 18(5) of Schedule 9 to the National Health Service and Community Care Act [1990 \(c. 19\)](#) (“the 1990 Act”) and by paragraph 40 of Schedule 1 to the Health Authorities Act [1995 \(c. 17\)](#).  
Section 126(4) was amended by section 65(2) of the 1990 Act and by the Health Act [1999 \(c. 8\)](#) (“the 1999 Act”), Schedule 4, paragraph 37(6).  
Section 128(1), as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of “prescribed” and “regulations”. The functions of the Secretary of State under sections 83A and 126(4) are transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, [S.I.1999/672](#), article 2 and Schedule 1, as amended by section 66(5) of the 1999 Act.
- (2) [S.I.1988/551](#) as amended by [S.I.1989/394](#), [517](#) and [614](#), [1990/548](#), [918](#) and [1661](#), [1991/557](#), [1992/1104](#), [1993/608](#), [1995/642](#) and [2352](#), [1996/410](#), [1364](#) and [2362](#), [1997/748](#) and [2393](#), [1998/2417](#), [1999/767](#) and [2840](#), [2001/1397](#).

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

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“(n) a relevant child for the purposes of section 23A of the Children Act 1989 to whose maintenance a responsible local authority is contributing under section 23B(8) of that Act”(3).

**Amendment of regulation 7 of the principal Regulations**

3. In paragraph 1(a)(ii) of regulation 7 of the principal Regulations (claims for remission or payment), for “or (m)” substitute “(m) or (n)”.

**Amendment of Schedule 1A of the principal Regulations**

4. In Schedule 1A of the principal Regulations (periods of validity of notices of entitlement), after paragraph 9 there shall be added the following paragraph—

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“10. A relevant child for the purposes of 12 months or until the child’s 18th birthday section 23A of the Children Act 1989 to whose whichever is longer”. maintenance a responsible local authority is contributing under section 23B(8) of that Act.

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

28th September 2001

*J.E.Randerson*  
Assembly Secretary

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(3) 1989 c. 41; Sections 23A and 23B were inserted by section 2 of the Children (Leaving Care) Act 2000 (c. 35); see also SI2001/2189 (W.151).  
(4) 1998 p. 38.

## EXPLANATORY NOTE

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

These Regulations further amend the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988 (“the principal Regulations”) which provide for the remission and repayment of certain charges that would otherwise be payable under the National Health Service Act 1977 and for the payment of certain travelling expenses incurred in attending hospital.

**Regulation 2** enables children leaving the care of a local authority and who are being wholly or partly maintained by that authority to benefit from full remission or repayment of charges and payment of travelling expenses.

**Regulations 3** and 4 make consequential amendments.