
WELSH STATUTORY INSTRUMENTS

2006 No. 1389 (W.139)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2006

Made - - - - 23 May 2006
Coming into force - - 24 May 2006

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

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2006 and they come into force on 24 May 2006.

(2) These Regulations apply in relation to Wales.

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

Amendment to Part I of Schedule 1 to the principal Regulations

2.—(1) Table A of Part I of Schedule 1 to the principal Regulations (modifications of provisions of the Income Support (General) Regulations 1987(3) for the purposes of Part I of this Schedule) is amended in accordance with the following provisions of this regulation.

(2) In the entry relating to regulation 45—

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- (1) 1977 c. 49 (“the 1977 Act”); 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 Schedule 4, paragraph 37(6) to the Health Act 1999 (c. 8).
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 section 83A, 126(4) and 128(1) of the 1977 Act were 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 the 1999 Act, section 66(5).
- (2) S.I.1988/551 as amended by S.I.1989/394, 517 and 614, 1990/548, 918 and 661, 1991/557, 1992/1104, 1993/608, 1995/642 and 2352, 1996/410, 1346 and 2362, 1997/748 and 2393, 1998/417, 1999/767 and 2840 (W.20), 2001/1397 (W.92) and 3322 (W.275), 2003/975 (W.134) and 2003/2561 (W.250), 2004/871 (W.86) and 2004/1042 (W.124) and 2005/1723 (W.135) and 2005/3302 (W.256).
- (3) S.I.1987/1967

- (a) in paragraph (a), for “£8,000” substitute “£16,000”;
 - (b) in paragraph (b), for “£21,000” substitute “£21,500”;
 - (c) in paragraph (c), for “£14,750” substitute “£16,000”.
- (3) In the entry relating to regulation 53 for “£14,750” substitute “£16,000” and for “£21,000” substitute “£21,500”.

Amendment of Part II of Schedule 1 to the principal Regulations

3.—(1) Table B of Part II of Schedule 1 to the principal Regulations (modifications of provisions of the Income Support (General) Regulations 1987 for the purposes of Part II of this Schedule) is amended in accordance with the following provisions of this regulation.

- (2) In paragraph 1 (2) of the inserted Schedule 4A for “£3000” substitute “£6000”.

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

23 May 2006

D. Elis-Thomas
The Presiding Officer of the National Assembly

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 of National Health Service (“NHS”) charges and for the payment of travelling expenses in certain cases.

Some persons are automatically entitled to the remission of NHS charges and to the payment of travelling expenses because they are in receipt of specified state benefits.

Many persons are not automatically entitled to the remission of NHS charges and payment of travelling expenses; accordingly, the principal Regulations contain provision for a calculation of a claimant’s income, capital and requirements (and of those of his or her family, where relevant). This calculation is made applying the modified provisions of the Income Support (General) Regulations 1987 that are set out in Schedule 1 to the principal Regulations.

Regulations 2 and 3 amend Schedule 1 to the principal Regulations to uprate the capital limits used in the calculation of entitlement to remission of charges and repayment of travelling expenses.