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STATUTORY INSTRUMENTS

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**2019 No. 784**

**EXITING THE EUROPEAN  
UNION, NORTHERN IRELAND  
HEALTH AND PERSONAL SOCIAL SERVICES**

The Health Services (Cross-Border Health  
Care and Miscellaneous Amendments)  
(Northern Ireland) (EU Exit) Regulations 2019

*Made - - - - 2nd April 2019*

*Coming into force in accordance with regulation 1*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to the European Union (Withdrawal) Act 2018<sup>M1</sup>.

In accordance with paragraph 1(1) of Schedule 7 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

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**Marginal Citations**

**M1** 2018 c. 16

**PART 1**

Introductory

**Citation, commencement, interpretation and extent**

1.—(1) These Regulations may be cited as the Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day<sup>M2</sup>.

(2) In these Regulations—

“the Order of 1972” means the Health and Personal Social Services (Northern Ireland) Order 1972<sup>M3</sup>;

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)*

“the 2013 Regulations” means the Health Services (Cross-Border Health Care) Regulations (Northern Ireland) 2013 <sup>M4</sup>.

(3) These Regulations extend to Northern Ireland only.

#### Commencement Information

**I1** Reg. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Marginal Citations

**M2** “Exit day” is defined in section 20 of the European Union (Withdrawal) Act 2018

**M3** [S.I. 1972/1265 \(N.I. 14\)](#)

**M4** [S.R. 2013 No. 299](#) as amended by [S.R. 2015 No. 130](#)

## PART 2

### Cross-border health care

#### CHAPTER 1

#### Amendment of primary legislation

#### The Health and Personal Social Services (Northern Ireland) Order 1972

2.—(1) The Order of 1972 is amended as follows.

(2) In Article 2(2) (interpretation) omit the definitions of “EEA agreement”, “EEA state” and “Regulation (EC) No. 883/2004”<sup>M5</sup>.

(3) Omit Articles 14B to 14E (reimbursement of the cost of health care services secured in another EEA state)<sup>M6</sup>.

(4) In Article 45 (travelling expenses of patients, etc.)<sup>M7</sup> omit paragraph (1)(a)(ii) and (iii).

#### Commencement Information

**I2** Reg. 2 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Marginal Citations

**M5** The definitions were inserted by [S.R. 2012 No. 167](#)

**M6** Articles 14B and 14C were inserted by [S.R. 2012 No. 167](#); Articles 14D and 14E were inserted by [S.R. 2013 No. 299](#)

**M7** Article 45(1)(a) was substituted by [S.R. 2012 No. 167](#) and amended by [S.R. 2013 No. 299](#)

## CHAPTER 2

### Amendment of secondary legislation

#### **Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993**

3.—(1) The Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993 <sup>M8</sup> are amended as follows.

- (2) In regulation 2 (interpretation) omit the definitions of—
  - (a) “the Directive”, and
  - (b) “visiting patient”.
- (3) In Schedule 2 (terms of service for dentists)—
  - (a) in paragraph 3—
    - (i) in sub-paragraph (2)(b)(iv) omit “or”;
    - (ii) omit sub-paragraphs (2)(b)(v) and (3).
  - (b) omit paragraph 23A.

#### **Commencement Information**

**I3** Reg. 3 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### **Marginal Citations**

**M8** S.R. [1993 No. 326](#) amended by S.R. [2013 No. 300](#)

#### **Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004**

4.—(1) The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004 <sup>M9</sup> are amended as follows.

- (2) In regulation 2 (interpretation) omit the definitions of—
  - (a) “the Directive”, and
  - (b) “visiting patient”.
- (3) In regulation 15 (essential services)—
  - (a) in paragraph (3) for “registered patients, temporary residents and visiting patients”, substitute “registered patients and temporary residents”;
  - (b) in paragraph (5) for “registered patients, temporary residents and visiting patients”, substitute “registered patients and temporary patients”.
- (4) In Schedule 4 (fees and charges), in paragraph 1 omit sub-paragraphs (l) and (m).
- (5) In Schedule 5 (other contractual terms)—
  - (a) in paragraph 3 (attendance outside practice premises), in sub-paragraph (4) omit “or a visiting patient”;
  - (b) omit paragraph 15A (application to the contractor for regulation 15(3) and (5) services);
  - (c) omit paragraph 32A (assignment of a person to a contractor for regulation 15(3) and (5) services);

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*Changes to legislation: There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)*

- (d) omit paragraph 40(4);
- (e) omit paragraphs 41(2)(e) and 41(4)(i);
- (f) in paragraph 78, omit sub-paragraph (2).

#### Commencement Information

**I4** Reg. 4 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Marginal Citations

**M9** S.R. [2004 No. 140](#) as amended by S.R. [2013 No. 301](#)

### The Health Care (Reimbursement of the Cost of EEA Services etc.) Regulations (Northern Ireland) 2012

5. In the Health Care (Reimbursement of the Cost of EEA Services etc.) Regulations (Northern Ireland) 2012 <sup>M10</sup> omit regulation 4.

#### Commencement Information

**I5** Reg. 5 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Marginal Citations

**M10** S.R. [2012 No. 167](#)

### The Health Services (Cross-Border Health Care) Regulations (Northern Ireland) 2013

6. The 2013 Regulations are revoked.

#### Commencement Information

**I6** Reg. 6 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

### General Dental Services (Amendment) Regulations (Northern Ireland) 2013

7. In the General Dental Services (Amendment) Regulations (Northern Ireland) 2013 <sup>M11</sup> omit regulations 2, 3 and 4.

#### Commencement Information

**I7** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Marginal Citations

**M11** S.R. [2013 No. 300](#)

## **The Health and Personal Social Services (General Medical Services Contracts) (Amendment No. 2) Regulations (Northern Ireland) 2013**

8. In the Health and Personal Social Services (General Medical Services Contracts) (Amendment No. 2) Regulations (Northern Ireland) 2013 <sup>M12</sup> omit regulations 2, 3, 4 and 5(3) to (6).

### **Commencement Information**

**I8** Reg. 8 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

### **Marginal Citations**

**M12** S.R. 2013 No. 301

## **Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015**

9.—(1) The Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015 <sup>M13</sup> are amended as follows.

(2) In regulation 2(1) (interpretation) omit the definitions of—

- (a) “Directive 2011/24/EU”,
- (b) “out of hours period”,
- (c) “out of hours provider”,
- (d) “out of hours services”, and
- (e) “visiting patient”.

(3) Omit regulation 25(visiting patients under Directive 2011/24/EU).

### **Commencement Information**

**I9** Reg. 9 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

### **Marginal Citations**

**M13** S.R. 2015 No. 27

## **The Health Services (Cross-Border Health Care) (Amendment) Regulations (Northern Ireland) 2015**

10. The Health Services (Cross-Border Health Care) (Amendment) Regulations (Northern Ireland) 2015 <sup>M14</sup> are revoked.

### **Commencement Information**

**I10** Reg. 10 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

### **Marginal Citations**

**M14** S.R. 2015 No. 130

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)*

## CHAPTER 3

### Savings

#### Saving of Article 14B of the Order of 1972 for pre-[<sup>F1</sup>IP completion day] cases

**11.**—(1) Despite the revocations made by regulations 2, 5, and 6, Article 14B of the Order of 1972 continues to have effect on and after [<sup>F1</sup>IP completion day] in relation to any qualifying EEA expenditure which was incurred on or after 10 May 2012 and before 27 December 2013 and was not reimbursed under that Article before [<sup>F1</sup>IP completion day].

(2) In Article 14B as saved by this regulation, paragraph (5) is to be read as if for the words “circumstances where Article 20 or 27(3) of Regulation (EC) No. 883/2004 applies” there were substituted “circumstances where, immediately before [<sup>F1</sup>IP completion day], Article 20 or 27(3) of Regulation (EC) No. 883/2004 would have applied”.

(3) The definition of “Regulation (EC) No. 883/2004” in Article 2(2) of the Order of 1972 continues to have effect for the purposes of Article 14B as saved by this regulation, but as if in that definition there were inserted at the end “as that Regulation had effect immediately before [<sup>F1</sup>IP completion day]”.

(4) In Article 14B as saved by this regulation “EEA state” has the meaning given by Schedule 1 to the Interpretation Act 1978 <sup>M15</sup>.

(5) In this regulation “qualifying EEA expenditure” has the same meaning as in Article 14B of the Order of 1972 as that Article had effect immediately before [<sup>F1</sup>IP completion day].

#### Textual Amendments

**F1** Words in reg. 11 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 14

#### Commencement Information

**I11** Reg. 11 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

#### Marginal Citations

**M15** [1978 c. 30](#)

#### Saving of Articles 14D and 14E of the Order of 1972 for pre-[<sup>F2</sup>IP completion day] cases

**12.**—(1) This regulation applies despite the revocations made by regulations 2, 5, and 6.

(2) Article 14D of the Order of 1972 continues to have effect on and after [<sup>F2</sup>IP completion day] in relation to qualifying EEA expenditure which—

- (a) was incurred (and not reimbursed under that Article) before [<sup>F2</sup>IP completion day],
- (b) was incurred on or after [<sup>F2</sup>IP completion day] on the provision of a service which was provided, or began to be provided, before [<sup>F2</sup>IP completion day], or
- (c) was incurred on or after [<sup>F2</sup>IP completion day] on the provision of a service that was authorised under Article 14E of that Order—
  - (i) before [<sup>F2</sup>IP completion day], or

- (ii) on or after [F<sup>2</sup>IP completion day] on an application under Article 14E made before [F<sup>2</sup>IP completion day].
- (3) But nothing in this regulation—
- (a) requires reimbursement of qualifying EEA expenditure incurred on the provision of a service which was provided after the later of—
- (i) the end of one year beginning immediately after the day on which [F<sup>2</sup>IP completion day] falls, or
- (ii) where an authorisation for the provision of the service specified a period within which the service must be provided, the end of the specified period.
- (4) In Article 14D as saved by this regulation, paragraph (9) is to be read as if for the words “circumstances where Article 20 or 27(3) of Regulation (EC) No. 883/2004 applies” there were substituted “circumstances where, immediately before [F<sup>2</sup>IP completion day], Article 20 or 27(3) of Regulation (EC) No. 883/2004 would have applied”.
- (5) Article 14E of the Order of 1972 continues to have effect on and after [F<sup>2</sup>IP completion day] in relation to an application for authorisation under that Article which was made, but not determined, before [F<sup>2</sup>IP completion day].
- (6) The following definitions continue to have effect for the purposes of Articles 14D and 14E of the Order of 1972 as saved by this regulation—
- (a) the definitions in Article 14B of that Order which are applied by Article 14D(15) as saved by this regulation, and
- (b) the definitions in Article 2(2) of the Order of 1972 of “Regulation (EC) No. 883/2004”, but as if there were inserted at the end of that definition “as that Regulation had effect immediately before [F<sup>2</sup>IP completion day]”.
- (7) Any reference to an EEA state other than the United Kingdom—
- (a) in Article 14D as saved by this regulation, or
- (b) in a definition applied by Article 14D(15) as so saved,
- is to be read in relation to times after [F<sup>2</sup>IP completion day] as a reference to an EEA state.
- (8) In that Article and in any such definition, “EEA state” has the meaning given by Schedule 1 to the Interpretation Act 1978.
- (9) In this regulation “qualifying EEA expenditure”, and “service” have the same meaning as in Article 14D of the Order of 1972 as that Article had effect immediately before [F<sup>2</sup>IP completion day] (except that, for the purposes of this paragraph, references in that Article or in any definition applied by paragraph (15) of that Article to an EEA state other than the United Kingdom are to be read, in relation to times after [F<sup>2</sup>IP completion day], as references to an EEA state).

#### Textual Amendments

- F2** Words in reg. 12 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 14

#### Commencement Information

- I12** Reg. 12 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)*

PROSPECTIVE

**Further saving of Articles 14D and 14E of the Order of 1972: cross-border arrangements**

<sup>F3</sup>13. ....

**Textual Amendments**

**F3** Regs. 13-15 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 16

PROSPECTIVE

**Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993**

<sup>F3</sup>14. ....

**Textual Amendments**

**F3** Regs. 13-15 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 16

PROSPECTIVE

**The Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004**

<sup>F3</sup>15. ....

**Textual Amendments**

**F3** Regs. 13-15 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 16

**Saving of the 2013 Regulations for pre-<sup>F4</sup>IP completion day] cases**

16.—(1) In relation to a case where paragraph (2) or (3) applies, the 2013 Regulations continue to have effect on and after [<sup>F4</sup>IP completion day] in so far as they relate to the National Contact Point and visiting patients as if the revocations made by regulations 6 and 10 of these Regulations had not been made, but with the modifications set out in Schedule 1.

(2) This paragraph applies where—

*Status: This version of this Instrument contains provisions that are prospective.*

**Changes to legislation:** There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

- (a) a service within Article 14B(3) or Article 14D(4) of the Order of 1972 was provided or began to be provided, or was authorised to be provided, before [<sup>F4</sup>IP completion day], or
- (b) an application for authorisation under Article 14E of that Order was made before [<sup>F4</sup>IP completion day].

(3) This paragraph applies where a cross-border healthcare service was provided or began to be provided to a visiting patient before [<sup>F4</sup>IP completion day] in the circumstances referred to in Regulation 11 (health care charges) or regulation 12 (exemption from health care charges for certain persons who reside in another member State) of the 2013 Regulations.

(4) But nothing in this regulation imposes an obligation in relation to a charge to a visiting patient for a service which was provided after the end of one year beginning immediately after the day on which [<sup>F4</sup>IP completion day] falls.

(5) In this regulation “charge”, “cross-border healthcare service” and “visiting patient” have the same meaning as they had in the 2013 Regulations immediately before [<sup>F4</sup>IP completion day].

**Textual Amendments**

**F4** Words in reg. 16 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 14

**Commencement Information**

**I13** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

PROSPECTIVE

**Further saving of the 2013 Regulations: cross-border arrangements**

<sup>F5</sup>17. ....

**Textual Amendments**

**F5** Reg. 17 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 16

PROSPECTIVE

**Provision of Health Services to Persons Not Ordinarily Resident Regulations (Northern Ireland) 2015**

<sup>F6</sup>18. ....

*Status: This version of this Instrument contains provisions that are prospective.*

**Changes to legislation:** There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

#### Textual Amendments

- F6** Reg. 18 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 16

## PART 3

### Miscellaneous amendments

#### [<sup>F7</sup>The Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs Etc) Regulations (Northern Ireland) 2004

19.—(1) The Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs Etc) Regulations (Northern Ireland) 2004 are amended as follows.

(2) In Schedule 2 (drugs, medicines and other substances that may be ordered only in certain circumstances), in the entry in column 2 of the table relating to patients with erectile dysfunction—

(a) for sub-paragraph (b) (including the “or” at the end) substitute—

“(b) a man who is a national of an EEA State who—

- (i) immediately before IP completion day was entitled to treatment by virtue of Article 7(2) of Council Regulation 1612/68 as extended by the EEA Agreement or was entitled to treatment by virtue of any other enforceable EU right;
- (ii) has erectile dysfunction and was on 14th September 1998 receiving a course of treatment under a national health insurance system of an EEA State for that condition with any of the drugs listed in sub-paragraph (a); and
- (iii) immediately before IP completion day was receiving a course of treatment for the condition mentioned in paragraph (ii) of this sub-paragraph with any of the drugs listed in sub-paragraph (a); or”;

(b) for sub-paragraph (c) (including the “or” at the end) substitute—

“(c) a man who is not a national of an EEA State but who is the member of the family of such a national and who—

- (i) immediately before IP completion day had an enforceable EU right to be treated no less favourably than the national in the provision of medical treatment;
- (ii) has erectile dysfunction and was on 14th September 1998 receiving a course of treatment for that condition with any of the drugs listed in sub-paragraph (a); and
- (iii) immediately before IP completion day was receiving a course of treatment for the condition mentioned in paragraph (ii) of this sub-paragraph with any of the drugs listed in sub-paragraph (a); or”.]

#### Textual Amendments

- F7** Reg. 19 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, 17

*Status: This version of this Instrument contains provisions that are prospective.*

**Changes to legislation:** There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

**Commencement Information**

**I14** Reg. 19 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

**<sup>F8</sup>PART 4**

**Supplementary**

**Textual Amendments**

**F8** Pt. 4 omitted (1.3.2024) by virtue of The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Provision) Regulations 2024 (S.I. 2024/80), reg. 1(2), **Sch. para. 14**

**EU-derived rights**

**20.** .....

Signed by the authority of the Secretary of State for Health and Social Care.

Department of Health and Social Care

*Stephen Hammond*  
Minister of State,

*Status: This version of this Instrument contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)*

SCHEDULE 1

Regulation 16

Modifications to the 2013 Regulations for pre-<sup>F9</sup>IP completion day] cases

**Textual Amendments**

**F9** Words in Sch. 1 heading substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, **15(a)**

1. The modifications of the 2013 Regulations referred to in regulation 16 are that those Regulations are to be read as if—

- (a) in regulation 2 (interpretation)—
  - (i) in the definition of “resident patient”, for “the United Kingdom is” there were substituted “ immediately before [<sup>F10</sup>IP completion day] the United Kingdom was ”;
  - (ii) in the definition of “visiting patient”, for “a member State other than the United Kingdom is” there were substituted “ immediately before [<sup>F10</sup>IP completion day] a member State other than the United Kingdom was ”;
- (b) in the heading to regulation 5 (national contact point: information about treatment in another member State), for “another member State” there were substituted “ a member State ”;
- (c) in regulation 5—
  - (i) for references to “other member States” there were substituted “ member States ”;
  - (ii) for the reference to “another member State” there were substituted “ a member State ”;
- (d) regulation 5A (National Contact Point: information about prescriptions intended to be used in another member State) were omitted;
- <sup>F11</sup>(e) .....
- (f) regulation 7 (National Contact Point: duty to consult) were omitted;
- (g) in regulation 12—
  - (i) in paragraph (2) for “P is” there were substituted “ immediately before [<sup>F10</sup>IP completion day] P was ”;
  - (ii) in paragraph (2)(a), for “is resident” there were substituted “ was resident ”;
  - (iii) in paragraph (2)(b), for “is the competent member State” there were substituted “ was the competent member State ”;
  - (iv) in paragraph (4)(b) at the end there were inserted “as it had effect immediately before [<sup>F10</sup>IP completion day]”;
- (h) the schedule (elements that must be included in prescriptions intended to be used in another member State) were omitted.

**Textual Amendments**

**F10** Words in Sch. 1 substituted (31.12.2020 immediately before IP completion day) by [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, **15(a)**

**Status:** This version of this Instrument contains provisions that are prospective.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

**F11** Sch. 1 para. 1(e) omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, **15(b)**

**Commencement Information**

**I15** Sch. 1 para. 1 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

**F12**SCHEDULE 2

Regulation 17

**Textual Amendments**

**F12** Sch. 2 omitted (31.12.2020 immediately before IP completion day) by virtue of [The Reciprocal and Cross-Border Healthcare \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1348\)](#), regs. 1, **16**

**EXPLANATORY NOTE**

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

These Regulations are made in exercise of the powers conferred by section 8 of the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend the Health and Personal Social Services (Northern Ireland) Order 1972, the Health and Personal Social Services General Dental Services Regulations (Northern Ireland) 1993, the Health and Personal Social Services (General Medical Services Contracts) Regulations (Northern Ireland) 2004, the Health Care (Reimbursement of the Cost of EEA Services etc.) Regulations (Northern Ireland) 2012, the Health Services (Cross-Border Health Care) Regulations (Northern Ireland) 2013, the General Dental Services (Amendment) Regulations (Northern Ireland) 2013, the Health and Personal Social Services (General Medical Services Contracts) (Amendment No. 2) Regulations (Northern Ireland) 2013, the Provision of Health Services to People Not Ordinarily Resident Regulations (Northern Ireland) 2015, the Health Services (Cross-Border Health Care) (Amendment) Regulations (Northern Ireland) 2015, and the Health and Personal Social Services (General Medical Services Contracts) (Prescription of Drugs Etc.) Regulations (Northern Ireland) 2004, to amend access to Cross-Border Health Care to visiting patients as a result of the UK's exit/withdrawal from the European Union.

An impact assessment has been prepared for this instrument however it has no impact on businesses, charities or the voluntary sector.

**Status:**

This version of this Instrument contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the The Health Services (Cross-Border Health Care and Miscellaneous Amendments) (Northern Ireland) (EU Exit) Regulations 2019.