



2001 CHAPTER 3

PART II

RECOVERY OF CHARGES IN CONNECTION WITH  
THE TREATMENT OF ROAD TRAFFIC CASUALTIES

*Recovery of health services charges*

**Payment of health services charges**

26.—(1) If the certificate by reference to which an amount payable under section 23(2) is determined is issued before the settlement date, that amount shall be paid before the end of the period of 14 days beginning with and including the settlement date.

(2) If the certificate by reference to which an amount payable under section 23(2) is determined is issued on or after the settlement date, that amount shall be paid before the end of the period of 14 days beginning with and including the day on which the certificate is issued.

(3) “Settlement date” means the date on which the compensation payment is made.

(4) This section is subject to section 27(2).

**Recovery of health services charges**

27.—(1) This section applies if a person has made a compensation payment and either—

- (a) subsection (8) of section 24 applies but he has not applied for a certificate as required by that subsection; or

- (b) he has not made payment, in full, of any amount due under section 23(2) by the end of the period allowed under section 26.

(2) The Department may—

- (a) in a case within subsection (1)(a), issue the person who made the compensation payment with a certificate; and
- (b) in a case within subsection (1)(b), issue him with a copy of the certificate or (if more than one has been issued) the most recent one,

and, in either case, issue him with a demand that payment of any amount due under section 23(2) be made immediately.

(3) The Department may recover the amount for which a demand for payment is made under subsection (2) from the person who made the compensation payment.

(4) Any amount recoverable shall, if the county court so orders, be enforceable as if it were payable under an order of that court.

(5) A document which states that it is a record of the amount recoverable under subsection (3) is conclusive evidence that that amount is so recoverable if it is signed by a person authorised to do so by the Department.

(6) For the purposes of subsection (5), a document purporting to be signed by a person authorised to do so by the Department is to be treated as so signed unless the contrary is proved.