
STATUTORY INSTRUMENTS

1972 No. 1265

Health and Personal Social Services (Northern Ireland) Order 1972

PART V

OTHER FUNCTIONS OF THE MINISTRY

Provision of services to persons not ordinarily resident in Northern Ireland

42.—(1) The Ministry may make available any services provided under this Order [^{F1}or the 2009 Act] to such persons or classes of persons not ordinarily resident in Northern Ireland to such an extent and subject to such conditions as may be prescribed.

(2) Where services are provided under paragraph (1) the Ministry may, [^{F2}subject to such exemptions as may be prescribed and] subject to [^{F3}paragraph (3)], determine charges for such services and recover them in accordance with paragraphs 3 and 4 of Schedule 15.

[^{F4}(3) Regulations may provide that charges under paragraph (2) are only to be made in such cases as may be determined in accordance with the regulations.]

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| F1 | Words in art. 42(1) inserted (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1) , s. 34(3), Sch. 6 para. 3(19) ; S.R. 2009/114, art. 2 |
| F2 | Words in art. 42(2) inserted (13.6.2016) by virtue of Health (Miscellaneous Provisions) Act (Northern Ireland) 2016 (c. 26) , ss. 14 , 20(2) |
| F3 | Words in art. 42(2) substituted (26.3.2008) by Health (Miscellaneous Provisions) Act (Northern Ireland) 2008 (c. 2) , ss. 12(a) , 18(1)(a) |
| F4 | Art. 42(3) added (26.3.2008) by Health (Miscellaneous Provisions) Act (Northern Ireland) 2008 (c. 2) , ss. 12(b) , 18(1)(a) |

Changes to legislation:

Health and Personal Social Services (Northern Ireland) Order 1972, Section 42 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument amended by [1995 c. 51 s.4Sch. para.30](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 56(4C)(4D) substituted by [S.I. 2002/3135 Sch. 1 para. 16](#) (This amendment has not been applied as it has been superceded by the substitution of art. 56 by 2004/311 NI 2 art. 3)
- art. 61-61E and art. 61F and cross-heading substituted for art. 61 by [2008 c. 2 \(N.I.\) s. 2\(2\)](#) (This amending provision is itself amended (13.6.2016) before it comes into force by 2016 c. 26 (N.I.), ss. 9, 20(2))
- art. 98(3) added by [2008 c. 2 \(N.I.\) s. 4\(1\)](#)
- art. 107(1A) inserted by [2008 c. 2 \(N.I.\) s. 4\(4\)\(b\)](#)