

## 1990 No. 164

**HEALTH AND PERSONAL SOCIAL SERVICES****Travelling Expenses and Remission of Charges  
(Modification of Time Limit) Regulations  
(Northern Ireland) 1990**

*Made* . . . . . 2nd May 1990  
*Coming into operation* . . . . . 9th May 1990

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 45, 98, 106 and 107(6) of, and paragraph 1(b) of Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(a) and with the approval of the Department of Finance and Personnel(b) in so far as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel in so far as they relate to travelling expenses, hereby makes the following regulations:

*Citation and commencement*

1. These regulations may be cited as the Travelling Expenses and Remission of Charges (Modification of Time Limit) Regulations (Northern Ireland) 1990 and shall come into operation on 9th May 1990.

*Interpretation*

2. In these regulations—

- (a) “the principal regulations” means the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 1989(c);
- (b) the expressions “capital limit”, “income support”, “relevant charges” and “relevant travelling expenses” shall have the same meanings as in the principal regulations;
- (c) “family” shall have the meaning assigned to it by Article 21(11) of the Social Security (Northern Ireland) Order 1986(d) as it applies to income support(e).

*Modification of time limit*

3.—(1) Where—

- (a) a person pays any relevant charge or relevant travelling expenses on a day (“the qualifying day”) falling on or after 9th April 1990 but before 28th May 1990; and

(a) S.I. 1972/1265 (N.I. 14); the relevant amending instrument is S.I. 1988/594 (N.I. 2)

(b) Formerly Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3

(c) S.R. 1989 No. 348

(d) S.I. 1986/1888 (N.I. 18)

(e) *See* S.R. 1987 No. 459, regulations 14 to 16 as amended by S.R. 1988 No. 146, S.R. 1989 No. 139, and S.R. 1990 No. 131

- (b) that person, or another person who is a member of the same family as that person—
  - (i) makes a claim not later than 27th May 1990 for income support in respect of the qualifying day, and
  - (ii) receives notice after the qualifying day that he is entitled to income support in respect of the qualifying day; and
- (c) on the qualifying day the capital resources of that person or, as the case may be, that other person, calculated for the purpose of determining his entitlement to income support—
  - (i) did not exceed the capital limit, but
  - (ii) would have exceeded the capital limit had the amount prescribed in regulation 45 of the Income Support (General) Regulations (Northern Ireland) 1987(a) then been £6,000,

regulation 8(2) of the principal regulations shall have effect in the case of that person so as to require him to make his claim for repayment by no later than the day falling one month after the date on which he, or the other member of his family, receives the notice mentioned in sub-paragraph (b)(ii).

(2) Where—

- (a) a person pays any relevant charge or relevant travelling expenses on any day falling on or after 9th April 1990 but before 28th April 1990; and
- (b) on that day—
  - (i) his capital resources, calculated in accordance with regulation 6 of the principal regulations, do not exceed the capital limit, but
  - (ii) his capital resources would have exceeded the capital limit had the amount prescribed in regulation 45 of the Income Support (General) Regulations (Northern Ireland) 1987 then been £6,000; and
- (c) neither that person nor any other person who is a member of the same family as that person, makes a claim on or before 27th May 1990 for income support in respect of that day,

regulation 8(2) of the principal regulations shall have effect in his case as if for the words from “within” to “expenses” there were substituted “on or before 27th May 1990”.

Sealed with the Official Seal of the Department of Health and Social Services on 2nd May 1990.

(L.S.)

*J. Scott*

Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel  
in so far as the foregoing Regulations relate to Travelling Expenses on  
2nd May 1990.

(L.S.)

*R. Miller*

Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing  
Regulations in so far as they relate to the Remission of Charges.

Sealed with the Official Seal of the Department of Finance and Personnel  
on 2nd May 1990.

(L.S.)

*R. Miller*

Assistant Secretary

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#### EXPLANATORY NOTE

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

These regulations modify the time limit prescribed in regulation 8(2) of the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 1989 ("the principal regulations") within which a person may claim the repayment of certain charges he has paid for services under the Health and Personal Social Services (Northern Ireland) Order 1972 or of travelling expenses he has incurred in attending a hospital for treatment under that Order.

The time limit is extended in relation to claims for repayment made by persons who become entitled to remission of charges or payment of expenses under the principal regulations in consequence of the increase from £6,000 to £8,000 in the capital limit prescribed for the purposes of determining eligibility for income support under the Social Security (Northern Ireland) Order 1986, provided that those persons make their claim for repayment, or claim income support, by no later than 27th May 1990.