
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 91

**Travelling Expenses and Remission of
Charges Regulations (Northern Ireland) 2004**

PART II

**ENTITLEMENT TO PAYMENT OF HS TRAVEL
EXPENSES AND REMISSION OF HS CHARGES**

Notices of entitlement

8.—(1) Where the Department determines, on a claim made under regulation 7 (Claims to entitlement), that the claimant and any member of his family is entitled to any remission of a HS charge or any payment in respect of HS travel expenses, it must issue a notice of entitlement to the claimant.

(2) Where a person is entitled to full remission of a HS charge and payment in full of HS travel expenses on the grounds only that he is a member of a family described in regulation 5(1)(d) (tax credit families), the Department must issue a notice of entitlement to that family and in such a case the notice shall apply to all members of that family.

(3) A notice of entitlement issued under paragraph (1) applies to all members of the claimant's family and must state –

- (a) whether those persons are entitled to full or partial remission or payment;
- (b) in the case of partial remission or payment, the amount of any HS charge or HS travel expenses for which there is no entitlement to remission or payment.

(4) A notice of entitlement issued under paragraph (1) or paragraph (2) must state the length of time for which it is valid and the dates on which that time begins and ends.

(5) A notice of entitlement issued under paragraph (1) is valid for 12 months beginning on the date on which the claim was made except that –

- (a) in the case of a notice issued to a full time student in the final or only year of a course of study, it is valid from the date of the claim until the last day of that course;
- (b) in the case of a notice issued to a person mentioned in regulation 5(2)(b) (asylum seeker), it is valid for 6 months beginning on the date of the claim.

(6) A notice of entitlement issued under paragraph (2) is valid from such date and for such period as the Department may determine.

(7) Subject to paragraphs (9) and (10), any change in the financial or other circumstances of a claimant, or of any member of his family, during the life of a notice of entitlement shall not affect its validity in respect of that period or, in the case of partial remission or payment, the amounts referred to in paragraph (3)(b).

(8) A claimant who is issued with a notice of entitlement to partial remission may make a further claim in accordance with regulation 7 at any time during the life of the notice if he considers that by

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

reason of a change in his financial circumstances or those of any member of his family the amounts referred to in paragraph (3)(b) should be reduced.

(9) A claimant to whom a notice of entitlement has been issued under this regulation must return it to the Department in any case where his claim is subsequently found to have been based on a false representation.

(10) A notice of entitlement issued under this regulation is effective only for the purpose of entitlement to remission of charges and payment of travel expenses in accordance with these Regulations.