

1990 No. 1364

ROAD TRAFFIC

**The Road Traffic Accidents (Payments for Treatment)
Order 1990**

<i>Made</i> - - - -	<i>4th July 1990</i>
<i>Laid before Parliament</i>	<i>11th July 1990</i>
<i>Coming into force</i>	<i>1st August 1990</i>

The Secretary of State for Health, as respects England and Wales, in exercise of powers conferred by section 5 of, and Schedule 3 to, the Public Expenditure and Receipts Act 1968(a) and now vested in him (b), and the Secretary of State for Scotland, as respects Scotland, in exercise of the said powers and of all other powers enabling them in that behalf, hereby make the following Order:—

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Road Traffic Accidents (Payments for Treatment) Order 1990 and shall come into force on 1st August 1990.

(2) This Order applies in relation to treatment given on or after 1st August 1990, and to an examination made on or after that date, of a person who dies or suffers bodily injury in respect of which a payment is made under section 157 or 158 of the Act.

(3) In this Order “the Act” means the Road Traffic Act 1988(c).

Maximum payments for hospital treatment of traffic casualties

2. In section 157(2) of the Act (maximum amounts of payments for hospital treatment of traffic casualties) for the sum of £2,000.37 there shall be substituted the sum of £2,546.00, and for the sum of £200.04 there shall be substituted the sum of £255.00.

(a) 1968 c.14; item 8 in Schedule 3 now refers to sections 157 and 158 of the Road Traffic Act 1988 (c.52). Under paragraph 3 of Schedule 10 to the Road Traffic Act 1972 (c.20) the references to sections 212 and 213 of the Road Traffic Act 1960 (c.16) were construed as referring to the corresponding provisions of the 1972 Act. The relevant provisions of the 1972 Act were repealed by Schedule 1 to the Road Traffic (Consequential Provisions) Act 1988 (c.54), and by section 2(4) of that Act of 1988, the references to the relevant provisions of the 1972 Act are to be read as references to the corresponding provisions of the Road Traffic Act 1988.

(b) By article 5(4) of the Secretary of State for Social Services Order 1968 (S.I. 1968/1699) the reference to the Minister of Health in item 8 in Schedule 3 to the 1968 Act is a reference to the Secretary of State; see also article 2 of the Transfer of Functions (Health and Social Security) Order 1988 (S.I. 1988/1843).

(c) 1988 c.52.

Payment for emergency treatment of traffic casualties

3. In section 158(2) of the Act (payments by users of vehicles of fees and mileage allowances to practitioners in respect of emergency treatment) for the sum of £15.00 there shall be substituted the sum of £18.20, and for the sum of 29 pence there shall be substituted the sum of 35 pence.

4th July 1990

Stephen Dorrell
Parliamentary Under Secretary
of State for Health

4th July 1990

M. B. Forsyth
Parliamentary Under Secretary
of State, Scottish Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order increases the amounts payable under sections 157(2) and 158(2) of the Road Traffic Act 1988. Section 157 provides for payments for hospital treatment of traffic casualties to be made by an owner or insurer of a vehicle the use of which gave rise to the injuries, and section 158 for payments, to be made by the person using such a vehicle, for emergency treatment and a medical practitioner's travelling expenses.

The maximum amounts payable for hospital treatment are increased from £2,000.37 to £2,546.00 for persons treated as in-patients, and from £200.04 to £255.00 for persons treated as out-patients.

For emergency treatment the fee is increased from £15.00 to £18.20. For travelling expenses, the amount for each mile in excess of two covered by a practitioner to provide such treatment is increased from 29 pence to 35 pence.

The increases apply in respect of treatment given on or after 1st August 1990.

55p net

ISBN 0 11 004364 2

Printed in the United Kingdom for HMSO

880 . WO1296 C24 7/90 452 7102 O/N 88174