
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 1989 (“the principal Regulations”) which provide for the payment of charges for accommodation, services and other facilities provided as part of the health service in respect of persons not ordinarily resident in the United Kingdom (“overseas visitors”).

Regulation 2 amends the definition in the principal Regulations of “member State” to refer to a State which is a Contracting Party to the Agreement on European Economic Area (“the EEA”), which came into existence on 1st January 1994, and extended the European Community provisions on freedom of movement and rights of residence to EEA nationals resident in the EEA.

Regulation 3 amends regulation 3(a) of the principal Regulations by removing services provided in a dental or ophthalmic emergency department from the category of services for which no charge may be made to overseas visitors.

Regulation 4 amends regulation 4 of the principal Regulations (overseas visitors exempt from charges) by inserting an additional exemption from charging in respect of certain nationals of states which are not states of the European Communities or the European Economic Area but are signatories to the European Social Charter.

Regulation 5(1) amends the lists, in Schedules 1 and 2 to the principal Regulations, of diseases for the treatment of which no charge is to be made, and regulation 5(2) makes amendments to the lists, in Schedule 2 to the principal Regulations, of countries and territories in respect of which the United Kingdom Government has entered into a reciprocal agreement for the provision of health services.