

2002 No. 2995

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

ROAD TRAFFIC, ENGLAND AND WALES

**The Road Traffic (NHS Charges) Amendment (No. 2)
Regulations 2002**

Made - - - - - 3rd December 2002

Laid before Parliament 11th December 2002

Coming into force - - 1st January 2003

The Secretary of State for Health, in exercise of the powers conferred on him by sections 3(2) and (4), 16(2) and 17 of the Road Traffic (NHS Charges) Act 1999(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Road Traffic (NHS Charges) Amendment (No. 2) Regulations 2002 and shall come into force on 1st January 2003.

(2) In these Regulations, “the principal Regulations” means the Road Traffic (NHS Charges) Regulations 1999(b).

(3) These Regulations apply to England and Wales(c).

Amendment of regulation 4 of the principal Regulations

2. Regulation 4 of the principal Regulations (amount of NHS Charges—Incidents on or after 2nd July 1997) is amended as follows—

(a) in paragraph (2)—

(i) in sub-paragraph (a) for “amount of £354” substitute “amount of £440 unless the incident occurred on or after 1st April 2003, in which case, the amount of £452”;

(ii) in sub-paragraph (b) for the words from “sum of £435” to the end substitute “sum of £541 for each day or part day of admission unless the incident occurred on or after 1st April 2003, in which case the sum of £556 for each day or part day of admission.”;

(b) in paragraph (4) for “shall be £10,000” substitute “shall be £30,000 unless the certificate relates to an incident which occurred on or after 1st April 2003 in which case it shall be £33,000.”.

(a) 1999 c. 3. Section 17 is cited for the definitions of “prescribed” and “regulations”.

(b) S.I. 1999/785 as amended by 2001/4030 and 2002/237.

(c) The functions of the Secretary of State under the above mentioned powers as regards Wales remain exercisable by Westminster Ministers.

Saving

3. Notwithstanding regulation 2 above, in respect of a certificate relating to an incident which occurred before 1st January 2003 the principal Regulations shall continue to have effect as if the amendments made by these Regulations had not been made.

Signed by authority of the Secretary of State for Health

3rd December 2002

David Lammy
Parliamentary Under Secretary of State
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Traffic (NHS Charges) Regulations 1999 (“the principal Regulations”) which provide for a scheme for the recovery from insurers and certain other persons of charges in connection with the treatment of road traffic casualties by the National Health Service (NHS).

Amendments made to the principal Regulations by regulation 2 increase the charges. Where a traffic casualty received NHS treatment but was not admitted to hospital in respect of an incident which occurred on or after 1st January 2003 and before 1st April 2003 the charge is increased from £354 to £440 and when the incident occurred on or after 1st April 2003 to £452. The daily charge for NHS in-patient treatment in respect of an incident which occurred on or after 1st January 2003 and before 1st April 2003 is increased from £435 to £541 and when the incident occurred on or after 1st April 2003 to £556. The maximum charge for in-patient treatment in respect of an incident which occurred on or after 1st January 2003 and before 1st April 2003 is increased from £10,000 to £30,000 and when the incident occurred on or after 1st April 2003 to £33,000.

Regulation 3 is a saving provision, which maintains the current charges for incidents occurring before 1st January 2003.

2002 No. 2995

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES
ROAD TRAFFIC, ENGLAND AND WALES**

**The Road Traffic (NHS Charges) Amendment (No. 2)
Regulations 2002**

£1.75

© Crown copyright 2002

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.
E1705 12/2002 121705 19585

ISBN 0-11-044121-4



9 780110 441214