
STATUTORY INSTRUMENTS

2015 No. 238

**The National Health Service (Charges
to Overseas Visitors) Regulations 2015**

PART 2

Provision for making and recovery of charges

Obligation to make and recover charges

3.—(1) Where the condition specified in paragraph (2) is met, a relevant NHS body must make and recover charges for any relevant services it provides to an overseas visitor from the person liable under regulation 4 (liability for payment of charges).

(2) The condition is that the relevant NHS body, having made such enquiries as it is satisfied are reasonable in all the circumstances, including in relation to the state of health of that overseas visitor, determines that the case is not one in which these Regulations provide for no charge to be made.

(3) Where more than one relevant NHS body provides relevant services to an overseas visitor, each relevant NHS body must make and recover charges for the relevant services it provides to that overseas visitor in accordance with paragraph (1).

(4) A relevant NHS body that makes and recovers a charge in accordance with paragraph (1), must give or send to the person making the payment a receipt for the amount paid.

(5) Subject to paragraph (6), where—

- (a) a relevant NHS body has determined that an overseas visitor is exempt from being charged for relevant services under these Regulations, except where the overseas visitor is exempt from being charged by virtue of—
 - (i) regulation 10 (immigration health charge);
 - (ii) regulation 11 (overseas visitors who have made applications for entry clearance or leave to remain prior to the commencement of the immigration health charge); or
 - (iii) regulation 25(3) (family members of overseas visitors – children born to a parent exempt under regulation 10 or 11);
- (b) the overseas visitor has received relevant services from a relevant NHS body as part of a course of treatment; and
- (c) prior to the course of treatment being completed, a relevant NHS body has determined that the overseas visitor is no longer exempt from being charged for relevant services under these Regulations,

a relevant NHS body may not make and recover charges under paragraph (1) in respect of relevant services provided as part of that course of treatment during a period where the overseas visitor has remained in the United Kingdom without absence.

(6) Paragraph (5) does not apply where a relevant NHS body has determined that a person is exempt from being charged for relevant services as a result of that body receiving fraudulent or misleading information.