
STATUTORY INSTRUMENTS

2020 No. 1423

The National Health Service (Charges to Overseas Visitors) (Amendment) (EU Exit) Regulations 2020

PART 2

**Amendment of the National Health Service
(Charges to Overseas Visitors) Regulations 2015**

Amendment of regulation 25

- 8.** In regulation 25(1)—
- (a) in paragraph (2), before subparagraph (a) insert—
 - “(za) regulation 13 (overseas visitors with a United Kingdom issued S1 healthcare certificate or equivalent document);”;
 - (b) in paragraph (4)—
 - (i) for subparagraph (c)(i) substitute—
 - “(i) regulation 12 (overseas visitors with citizens’ rights); or”;
 - (ii) omit subparagraph (c)(ii) and the “or” immediately after it;
 - (c) for paragraph (5), substitute—
 - “(5) Where the overseas visitor is a member of the family of a principal overseas visitor who is exempt from charges under regulation 12 (overseas visitors with citizens’ rights), the exemption in paragraph (4) applies only if the conditions in both paragraph (6) and (7) are satisfied.”;
 - (d) for paragraph (6) substitute—
 - “(6) The first condition is that—
 - (a) the overseas visitor does not have a right arising from a provision mentioned in regulation 12(1)(a) to (c) (overseas visitors with citizens’ rights), and
 - (b) the reason that the overseas visitor does not have such a right is because the overseas visitor is not recognised as a member of the family (within the meaning of Article 1(i) of Regulation (EC) No 883/2004).”;
 - (e) in paragraph (7), for “an enforceable EU right” to the end, substitute “a right arising from a provision mentioned in regulation 12(1)(a) to (c) if the overseas visitor had such a right”;
 - (f) in paragraph (8), for “an enforceable EU right” substitute “a right arising from a provision mentioned in regulation 12(1)(a) to (c)”.