
WELSH STATUTORY INSTRUMENTS

2020 No. 1607

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

PART 2

Amendment of the Principal Regulations

Amendment of regulation 1

2.—(1) Regulation 1(2) (citation, commencement and interpretation) of the Principal Regulations is amended as follows.

(2) At the appropriate place insert—

- (a) ““the 2014 Act” means the Immigration Act 2014**(1)**”;
- (b) ““competent institution” has the same meaning as in Regulation (EC) No 883/2004 or Regulation (EEC) No 1408/71, as the case may be”;
- (c) ““equivalent document” means a document which, for the purposes of a listed healthcare arrangement is treated as equivalent to an S1 healthcare certificate**(2)**”;
- (d) ““immigration rules” means the rules laid before Parliament under section 3(2) (general provisions for regulation and control) of the Immigration Act 1971**(3)**”;
- (e) ““listed healthcare arrangement” has the meaning given in regulation 1(3) of the Healthcare (European Economic Area and Switzerland Arrangements) (EU Exit) Regulations 2019**(4)**”;
- (f) ““Regulation (EC) No 883/2004” means Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems as it had effect immediately before implementation period completion day**(5)**”;
- (g) ““Regulation (EEC) No 1408/71” means Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community as it had effect immediately before implementation period completion day**(6)**”;

(1) 2014 c. 22.

(2) An S1 healthcare certificate entitles a person to healthcare in an EEA state and Switzerland on the same basis as residents of that country. It is issued by an EEA state and Switzerland and was issued by the United Kingdom, before it exited the EU. It was issued to certain workers working in an EEA state or Switzerland who paid National Insurance Contributions in the United Kingdom or to people in receipt of certain United Kingdom exportable benefits (for example, retirement pensions). Following the United Kingdom’s exit from the EU, the United Kingdom will no longer issue S1 healthcare certificates but will issue certain qualifying persons with a document which will provide the same access to healthcare as the S1 healthcare document.

(3) 1971 c. 77.

(4) S.I. 2019/1293, to which there are amendments not relevant to these Regulations.

(5) OJ No. L 166, 30.4.2004, p. 1. This EU Regulation has been amended by various EU instruments, most recently by Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 (OJ No. L 186, 11.7.2019, p. 21). Amendments are made prospectively with effect from implementation period completion day by S.I. 2019/722.

(6) OJ No. L 149, 5.7.1971, p. 2. Regulation (EEC) No 1408/71 was repealed by Regulation (EC) No 883/2004 but saved for certain purposes. Regulation (EEC) No 1408/71 has been amended by various EU instruments and was restated in Part 1 of Annex A of Council Regulation (EC) No 118/97 of 2 December 1996 (OJ No. L 28, 30.1.1997, p. 1). It has most recently been

- (h) ““relevant services” means accommodation, services or facilities⁽⁷⁾ which are provided, or whose provision is arranged, under the National Health Service (Wales) Act 2006⁽⁸⁾ other than—
- (i) primary medical services provided under Part 4 (medical services);
 - (ii) primary dental services provided under Part 5 (dental services);
 - (iii) primary ophthalmic services provided under Part 6 (ophthalmic services); or
 - (iv) equivalent services which are provided, or whose provision is arranged, under that Act;”.
- (3) For the definition of “member of the family” substitute—
- ““member of the family” has the same meaning as in Regulation (EC) No 883/2004 or Regulation (EEC) No 1408/71 as the case may be;”.

amended by Regulation (EC) No 592/2008 of the European Parliament and of the Council of 17 June 2008 (OJ No. L 177, 4.7.2008, p. 1). Amendments are made prospectively with effect from implementation period completion day by S.I. 2019/726.

(7) “Facilities” is defined in section 206(1) of the National Health Service (Wales) Act 2006.

(8) 2006 c. 42.