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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 335**

**NATIONAL HEALTH SERVICE**

**The National Health Service (Charges to Overseas Visitors) (Scotland) Amendment (No. 3) Regulations 2022**

*Made* - - - - *10th November 2022*  
*Laid before the Scottish*  
*Parliament* - - - - *14th November 2022*  
*Coming into force* - - *1st January 2023*

The Scottish Ministers make the following regulations in exercise of the powers conferred by sections 98 and 105(7) of the National Health Service (Scotland) Act 1978(1) and all other powers enabling them to do so.

**Citation and commencement**

1. These regulations may be cited as the National Health Service (Charges to Overseas Visitors) (Scotland) Amendment (No. 3) Regulations 2022 and come into force on 1 January 2023.

**Amendment of the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989**

2. In schedule 2 (countries or territories in respect of which the United Kingdom Government has entered into a reciprocal agreement) of the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989(2), in the appropriate alphabetical position, insert—

- (a) “Bailiwick of Guernsey”,
- (b) “Malta”.

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(1) 1978 (c. 29). Section 98 was amended by section 7(13) and (14) of the Health and Medicines Act 1988 (c. 49). Section 105(7) was amended by paragraph 5 of schedule 6 and schedule 7 of the Health Services Act 1980 (c. 53), paragraph 24 of schedule 9 of the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), and paragraph 60 of schedule 4 of the Health Act 1999 (c. 8). Section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(2) S.I. 1989/364, as last relevantly amended by S.S.I. 2019/333.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
10th November 2022

*HUMZA YOUSAF*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989 (“the principal Regulations”) which provide for the making and recovery of charges for health services provided to certain persons who are not ordinarily resident in the United Kingdom.

These Regulations amend schedule 2 of the principal Regulations by adding the Bailiwick of Guernsey and Malta to the list of countries with which the United Kingdom has a reciprocal agreement.