

## 2012 No. 378

### HEALTH AND PERSONAL SOCIAL SERVICES

#### The Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2012

*Made* - - - - - 16th October 2012

*Coming into operation* - - - - - 7th November 2012

The Department of Health, Social Services and Public Safety(a), makes the following Regulations in exercise of the powers conferred by Articles 45, 98, 106 and 107(6) of, and paragraphs 1(b) and 1B of Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(b), and with the approval of the Department of Finance and Personnel insofar as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel insofar as they relate to travelling expenses.

#### Citation and commencement

1. These Regulations may be cited as the Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2012 and shall come into operation on 7th November 2012.

#### Amendment of Schedule 1 to the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004

2.—(1) Column 2 of Table A in Schedule 1 to the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004(c) (Modifications of the Income Support (General) Regulations (Northern Ireland) 1987) is amended in accordance with paragraphs (2) and (3).

(2) In the modifications of regulation 62 (Calculation of grant income) of the Income Support (General) Regulations (Northern Ireland) 1987—

- (a) in the substitute paragraph (2B)(b)(d), for “regulations 57 to 59 of the Education (Student Support) Regulations 2009(e)” substitute “regulations 57 to 60 of the Education (Student Support) Regulations 2011(f)”; and
- (b) in the substitute paragraph (2B)(c)(g)—

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(a) See S.I. 1999/283 (N.I. 1) Article 3(6)

(b) S.I. 1972/1265 (N.I. 14); relevant amending instruments are S.I. 1988/594 (N.I. 2) Article 14 and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5 and S.R. 1999 No. 11 and S.R. 2012 No. 167

(c) S.R. 2004 No. 91; relevant amending Regulations are S.R. 2004 Nos. 156 and 162, S.R. 2005 Nos. 107 and 386, S.R. 2006 Nos. 136, 190 and 333, S.R. 2007 Nos. 264 and 437, S.R. 2008 Nos. 39, 292 and 391, S.R. 2009 Nos. 52, 151 and 329, S.R. 2010 Nos. 201 and 352 and S.R. 2012 No. 73

(d) S.R. 2010 No. 352 inserted a substitute paragraph (2B) into the modifications of regulation 62 of the Income Support (General) Regulations (Northern Ireland) 1987 in Table A in Schedule 1 to the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004

(e) S.I. 2009/1555

(f) S.I. 2011/1986

(g) The substituted paragraph (2B)(c) was amended by S.R. 2012 No. 73

(i) for “regulations 38 to 40 of the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2011(a)” substitute “regulations 38 to 41 of the Assembly Learning Grants and Loans (Higher Education) (Wales) (No. 2) Regulations 2011(b)”; and

(ii) for “regulations 48 to 51” substitute “regulations 48 to 52”.

(3) In the modifications of regulation 66A (Treatment of student loans) of those Regulations, in the first entry, for “Student Support Information Guide 2011-12” substitute “Student Support Information Guide 2012-13(c)”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 16th October 2012



*Eugene Rooney*  
A senior officer of the  
Department of Health, Social Services and Public Safety

Sealed with the Official Seal of the Department of Finance and Personnel insofar as the foregoing Regulations relate to travelling expenses on 16th October 2012



*John McKibbin*  
A senior officer of the  
Department of Finance and Personnel

The Department of Finance and Personnel hereby approves the foregoing Regulations insofar as they relate to the remission of charges.

Sealed with the Official Seal of the Department of Finance and Personnel on 16th October 2012



*John McKibbin*  
A senior officer of the  
Department of Finance and Personnel

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(a) S.I. 2011/148 (W. 32). Regulations 38 to 40 are prospectively revoked by S.I. 2011/886 (W. 130) with effect from 1st September 2012  
(b) S.I. 2011/886 (W. 130)  
(c) The Guide is available on the Student Awards Agency for Scotland website at [www.saas.gov.uk](http://www.saas.gov.uk)

## EXPLANATORY NOTE

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

These Regulations further amend the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004 (“the principal Regulations”), which provide for remission and payment of certain charges which would otherwise be payable under the Health and Personal Social Services (Northern Ireland) Order 1972 and for payment by the Department of Health, Social Services and Public Safety of travelling expenses incurred in attending a hospital for, amongst others, persons on low incomes, by reference to limits on their income and capital (“the low income scheme”).

In calculating a person’s resources and requirements under the principal Regulations in order to establish whether a person can claim entitlement to remission of Health Service charges and the payment of Health Services travelling expenses, a modified version of the Income Support (General) Regulations (Northern Ireland) 1987 is used, as set out in Schedule 1 to the principal Regulations.

Regulation 2 amends the modifications in Schedule 1 to the principal Regulations to update the references to student funding under the Education (Student Support) Regulations 2011 and the Assembly Learning Grants and Loans (Higher Education) (Wales) (No. 2) Regulations 2011. These set out the entitlement to grants and loans available to students. Certain of the amounts of student maintenance grants are disregarded in calculating the entitlement of students to remission of Health Service charges and the payment of Health Services travelling expenses under the principal Regulations.

Regulation 2 also amends the reference to the publication which describes additional loans paid under the Education (Student Loans) (Scotland) Regulations 2007. These loans are disregarded in the calculation of a student’s loan income when a person’s entitlement to remission of Health Service charges and payment of Health Services travelling expenses is being established under the principal Regulations.

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