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SCOTTISH STATUTORY INSTRUMENTS

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**2003 No. 460**

**The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003**

**Notices of entitlement**

**10.**—(1) Where the Scottish Ministers determine, on a claim made under either regulation 3 or regulation 5 that the claimant and any member of the claimant's family are entitled to any remission of a relevant charge or any payment in respect of relevant travelling expenses, they shall issue a notice of entitlement to the claimant.

(2) Where a person is entitled to full remission of a relevant charge and payment in full of relevant travelling expenses because the person is a member of a family described in regulation 4(2)(j)(i), the Scottish Ministers must issue a notice of entitlement to that family and in such a case the notice shall apply to all the members of that family.

(3) A notice of entitlement issued under paragraph (1) applies to all members of the claimant's family and must state—

- (a) whether those persons are entitled to full or partial remission or payment; and
- (b) in the case of partial remission or payment, the amount of any relevant charge or relevant travelling expenses for which there is no entitlement to remission or payment.

(4) A notice of entitlement issued under paragraph (1) or paragraph (2) must state the length of time for which it is valid and the dates on which that time begins and ends.

(5) A notice of entitlement issued under paragraph (1) is valid for 12 months beginning on the date of the claim except that—

- (a) in the case of a notice issued to a full time student in the final or only year of a course of study, it is valid from the date of the claim until the last day of that course; and
- (b) in the case of a notice issued to a person mentioned in regulation 4(2)(h) or (i) (asylum seeker or a member of the family of the asylum seeker), it is valid for 6 months beginning on the date of the claim.

(6) A notice of entitlement issued under paragraph (2) is valid from such date and for such period as the Scottish Ministers may determine.

(7) Subject to paragraphs (9) and (10), any change in the financial or other circumstances of a claimant, or of any member of the claimant's family, during the period of a notice of entitlement shall not affect its validity in respect of that period or, in the case of partial remission or payment, the amount referred to in paragraph (3)(b).

(8) A claimant who is issued with a notice of entitlement to partial remission may make a further claim in accordance with regulation 5 at any time during the period of the notice if the claimant considers that by reason of a change in the claimant's financial circumstances or those of any member of the claimant's family the amount referred to in paragraph (3)(b) should be reduced.

(9) A claimant to whom a notice of entitlement has been issued under this regulation must return it to the Scottish Ministers in any case where the claimant's claim is found to have been based on a false representation.

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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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(10) A notice of entitlement issued under this regulation is effective only for the purpose of entitlement to remission of relevant charges and payment of relevant travelling expenses in accordance with these Regulations.