
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 225

NATIONAL HEALTH SERVICE

The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 2007

Made - - - - 8th March 2007
Laid before the Scottish Parliament - - - - 9th March 2007
Coming into force in accordance with regulation 1(2) and (3)

The Scottish Ministers, in exercise of the powers conferred by sections 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(1) and of all powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 2007.

(2) Subject to paragraph (3), these Regulations shall come into force on 1st April 2007.

(3) Regulation 3(2)(a) and (b) shall come into force on 9th April 2007.

(4) In these Regulations “the principal Regulations” means the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003(2).

Application

2. Regulation 3(2)(c) applies in respect of claims for the remission, in whole or in part, of any relevant charges or the payment, in whole or in part, of any relevant travelling expenses under the principal Regulations received on or after 1st September 2006.

(1) 1978 c. 29; Section 75A was inserted by the Social Security Act 1988 (c. 7), section 14(2), and amended by the Health and Medicines Act 1988 (c. 49), Schedule 2, paragraph 13, the National Health Service (Primary Care) Act 1977 (c. 46), Schedule 2, Part I, paragraphs 32 and 51, and the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(13), and by S.I. 1998/2385; section 105(7) was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5, and Schedule 7, by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24, and by the Health Act 1999 (c. 8), Schedule 4, paragraph 60; 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.S.I. 2003/460; amended by S.S.I. 2004/102 and 166, 2005/3 and 179 and 2006/142, 183 and 440.

Amendment of the principal Regulations

3.—(1) The principal Regulations are amended as follows.

(2) In Table A of the Schedule, in entries relating to—

- (a) regulations 45 and 53, for “£21,000”, in each place where it occurs, substitute “£21,500”;
- (b) regulation 53, for “£12,750” substitute “£13,000”; and
- (c) regulation 66A, before the first entry insert—

“In paragraph (1) after “hardship loan”, insert “or any sum paid by way of additional loan that does not exceed the maximum amount of such a loan as determined by the Scottish Ministers in terms of regulation 10 of the Education (Student Loans) (Scotland) Regulations 2000 (maximum of loans)(3).””.

St Andrew’s House,
Edinburgh
8th March 2007

LEWIS MACDONALD
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (“the principal Regulations”).

Regulation 3(2) amends Table A in the Schedule to the principal Regulations, which modifies certain provisions of the Income Support (General) Regulations 1987 (S.I.1987/1967) (“the 1987 Regulations”), for the purposes of calculating certain entitlements under the principal Regulations.

Regulation 3(2)(a) and (b) amends the entries relating to regulations 45 and 53 of the 1987 Regulations in order to increase the capital limits to be used in calculating entitlements to the payments of travelling expenses and remission of charges for certain claimants. These amendments apply from 9th April 2007.

Regulation 3(2)(c) amends the entry relating to regulation 66A of the 1987 Regulations in order that any additional loan towards a student’s maintenance will be disregarded in the calculation of a student’s loan income. This regulation applies in respect of claims received on or after 1st September 2006 (regulation 2).