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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 124**

**NATIONAL HEALTH SERVICE**

**The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 2009**

<i>Made</i>	- - - -	<i>24th March 2009</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>25th March 2009</i>
<i>Coming into force</i>	- -	<i>4th May 2009</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 75A, 105(7) and 108(1) 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 (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 2009 and come into force on 4th May 2009.

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

2.—(1) The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003(2) are amended as follows.

(2) In regulation 4 (description of persons entitled to full remission and payment), in paragraph 2(j)(ii) for “£15,050” substitute “£15,276”.

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(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 and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(13), the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, Part I, paragraphs 32 and 50, the National Health Service Reform (Scotland) Act 2004 (asp 7), Schedule 1, paragraph 1 and by S.I. 1998/2385; section 105(7) was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, Part I, paragraph 24 and 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, 2006/142, 183 and 440, 2007/225, 259 and 391 and 2008/27, 147, 288 and 390. S.S.I. 2006/142 was revoked by S.S.I. 2006/183.

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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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- (3) In column 2 of Table A of the Schedule–
- (a) in the entry relating to regulation 45, for “£22,250” substitute “£23,000”; and
  - (b) in the entry relating to regulation 53–
    - (i) for “£13,500” substitute “£14,000”; and
    - (ii) for “£22,250” substitute “£23,000”.

St Andrew’s House,  
Edinburgh  
24th March 2009

*SHONA ROBISON*  
Authorised to sign by the Scottish Ministers

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## 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 Regulations”).

Regulation 2(2) amends regulation 4 of the Regulations to increase the amount of income to be used in calculating entitlement to full remission of charges and/or payment of travelling expenses under the Regulations in relation to persons in receipt of tax credits.

Regulation 2(3) amends the entries in Table A of the Schedule to the Regulations relating to regulations 45 and 53 of the Income Support (General) Regulations 1987 (S.I.1987/1967) to increase the capital limits to be used in calculating entitlement to the remission of charges and/or payment of travelling expenses for certain claimants under the Regulations.