



Road Traffic Act 1988

1988 CHAPTER 52

PART VI

THIRD-PARTY LIABILITIES

Payments for treatment of traffic casualties

159 Supplementary provisions as to payments for treatment

- (1) A payment falling to be made under section 157 or 158 of this Act in respect of treatment in a hospital must be made—
 - (a) in England and Wales, in the case of a hospital vested in the Secretary of State for the purposes of the National Health Service Act 1977, to the Area Health Authority, District Health Authority or special health authority responsible for the administration of the hospital or the Secretary of State if no such authority is so responsible,
 - (b) in Scotland, in the case of a hospital vested in the Secretary of State, to the Secretary of State or on his behalf to any Health Board authorised by him for the purpose, and
 - (c) in the case of any other hospital, to the hospital.
- (2) A claim for a payment under section 158 of this Act may be made at the time when the emergency treatment is effected, by oral request to the person who was using the vehicle, and if not so made must be made by request in writing served on him within seven days from the day on which the emergency treatment was effected.
- (3) Any such request in writing—
 - (a) must be signed by the claimant or, in the case of a hospital, by an executive officer of the Authority (in Scotland, Board) or hospital claiming the payment or by an officer of the Secretary of State,
 - (b) must state the name and address of the claimant, the circumstances in which the emergency treatment was effected, and that it was first effected by the claimant or, in the case of a hospital, in the hospital, and

Status: This is the original version (as it was originally enacted).

- (c) may be served by delivering it to the person who was using the vehicle or by sending it in a prepaid registered letter, or the recorded delivery service, addressed to him at his usual or last known address.
- (4) A payment made under section 158 of this Act shall operate as a discharge, to the extent of the amount paid, of any liability of the person who was using the vehicle, or of any other person, to pay any sum in respect of the expenses or remuneration of the practitioner or hospital concerned of or for effecting the emergency treatment.
- (5) A chief officer of police must, if so requested by a person who alleges that he is entitled to claim a payment under section 158 of this Act, provide that person with any information at the disposal of the chief officer—
 - (a) as to the identification marks of any motor vehicle which that person alleges to be a vehicle out of the use of which the bodily injury arose, and
 - (b) as to the identity and address of the person who was using the vehicle at the time of the event out of which it arose.