



Health and Social Care (Community Health and Standards) Act 2003

2003 CHAPTER 43

PART 3

RECOVERY OF NHS CHARGES

Certificates of NHS charges

151 Applications for certificates of NHS charges

- (1) Before a person makes a compensation payment in consequence of any injury suffered by an injured person, he may apply for a certificate to the Secretary of State, the Scottish Ministers or both, according to whether he believes the relevant NHS charges payable by him (if any) would be due to the Secretary of State, the Scottish Ministers or both.
- (2) If the Secretary of State receives or the Scottish Ministers receive an application under subsection (1), he or they must arrange for a certificate to be issued as soon as is reasonably practicable (subject to section 152).
- (3) A certificate may provide that it is to remain in force—
 - (a) until a specified date,
 - (b) until the occurrence of a specified event, or
 - (c) indefinitely.
- (4) A person may apply under subsection (1) for a fresh certificate from time to time.
- (5) Subsection (2) does not require the Secretary of State or the Scottish Ministers to arrange for a fresh certificate to be issued to a person applying under subsection (4) if, when the application is received, a certificate issued to the applicant in respect of the injured person is still in force; but the Secretary of State or the Scottish Ministers (as the case may be) may arrange for a fresh certificate to be issued so as to have effect on the expiry of the current certificate.

Status: Point in time view as at 20/10/2005. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Section 151. (See end of Document for details)

- (6) If a certificate expires, the Secretary of State or the Scottish Ministers (as the case may be) may arrange for a fresh certificate to be issued without an application having to be made.
- (7) In the circumstances mentioned in subsection (8), a person who has made a compensation payment in consequence of an injury suffered by an injured person must apply for a certificate to the Secretary of State, the Scottish Ministers or both, according to whether he believes the relevant NHS charges payable by him (if any) would be due to the Secretary of State, the Scottish Ministers or both.
- (8) The circumstances are that—
- (a) at the time the payment is made by the person—
 - (i) no certificate has been issued to him in respect of the injured person, or
 - (ii) if such a certificate has been issued to him, it is no longer in force, and
 - (b) no application for a certificate has been made by him during the prescribed period ending immediately before the day on which the compensation payment is made.
- (9) An application for a certificate must be made in the prescribed manner and, in the case of an application under subsection (7), within the prescribed period.
- (10) On receiving an application under subsection (7), the Secretary of State or the Scottish Ministers must arrange for a certificate to be issued as soon as is reasonably practicable (subject to section 152).
- (11) In this section and section 152, “relevant NHS charges” has the meaning given in section 150(10).

Commencement Information

II S. 151 partly in force; s. 151 in force at Royal Assent for certain purposes, see s. 199(1)(4)

Status:

Point in time view as at 20/10/2005. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care (Community Health and Standards) Act 2003, Section 151.