



# National Health Service (Wales) Act 2006

## 2006 CHAPTER 42

### PART 9

#### CHARGING

##### *Other provisions relating to charging*

#### **133 Charges for more expensive supplies**

- (1) Regulations may provide for the making and recovery of such charges falling within subsection (2) as may be prescribed.
- (2) The charges are charges by the Welsh Ministers or an NHS trust—
  - (a) in respect of the supply of any appliance or vehicle which is, at the request of the person supplied, of a more expensive type than the prescribed type, or
  - (b) in respect of the repair or replacement of any such appliance, or the replacement of any such vehicle, or the taking of any such action in relation to the vehicle as is mentioned in paragraph 10(2) of Schedule 1.

#### **134 Charges for repairs and replacements in certain cases**

- (1) Regulations may provide for the making and recovery of such charges falling within subsection (2) as may be prescribed.
- (2) The charges are charges by the Welsh Ministers or an NHS trust in respect of the repair or replacement of any appliance or vehicle, where it is determined in the prescribed manner—
  - (a) in any case, that the repair or replacement was necessitated by an act or omission of the person supplied, or
  - (b) in a case where the person supplied was under the age of 16, that the repair or replacement was necessitated by an act or omission, occurring while that person was under that age, of a person having charge of him.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: National Health Service (Wales) Act 2006, Cross Heading: Other provisions relating to charging is up to date with all changes known to be in force on or before 05 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

### 135 Charges for designated services or facilities

Regulations may provide for the making and recovery of charges in respect of services or facilities designated by the regulations as services or facilities provided in pursuance of section 3(1)(d) or (e).

### 136 Sums otherwise payable to those providing services

- (1) Subsection (2) applies to regulations under—
- (a) section 121 (charges for drugs, medicines or appliances, or pharmaceutical service),
  - (b) section 128 (charges for optical appliances),
  - (c) section 133 (charges for more expensive supplies), or
  - (d) section 134 (charges for repairs and replacements in certain cases),
- which provide for the making and recovery of charges in respect of any services.
- (2) The regulations may provide for the sums which would otherwise be payable by a Local Health Board or Special Health Authority to the persons by whom the services are provided, to be reduced by the amount of the charges authorised by the regulations in respect of the services.

### 137 Hospital accommodation on part payment

- (1) The Welsh Ministers—
- (a) may authorise accommodation to be made available for patients to such extent as they may determine, and
  - (b) may recover such charges as they may determine in respect of such accommodation and calculate them on any basis that they consider to be the appropriate commercial basis.
- (2) Accommodation means—
- (a) accommodation in single rooms or small wards which is not needed by any patient on medical grounds,
  - (b) accommodation at any health service hospital or group of hospitals, or a hospital in which patients are treated under arrangements made by virtue of section 10, or at the health service hospitals in a particular area or a hospital in which patients are so treated.
- (3) References in subsection (2) to a health service hospital include references to such a hospital within the meaning of section 275 of the National Health Service Act 2006 (c. 41), but do not include references to a hospital vested in an NHS trust or an NHS foundation trust.

#### Modifications etc. (not altering text)

- C1 [S. 137](#): Functions made exercisable by Local Health Boards (1.10.2009) by [The Local Health Boards \(Directed Functions\) \(Wales\) Regulations 2009 \(S.I. 2009/1511\)](#), reg. 4, [Sch.](#)

### 138 Expenses payable by employed patients

- (1) The Welsh Ministers may require any person—

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- (a) who is a resident patient for whom the Welsh Ministers provide services under this Act, and
- (b) who is absent during the day from the hospital where he is a patient for the purpose of engaging in remunerative employment,

to pay such part of the cost of his maintenance in the hospital and any incidental cost as may seem reasonable to the Welsh Ministers having regard to the amount of that person's remuneration.

(2) The Welsh Ministers may recover the amount required under subsection (1).

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**Modifications etc. (not altering text)**

**C2** [S. 138: Functions made exercisable by Local Health Boards \(1.10.2009\) by The Local Health Boards \(Directed Functions\) \(Wales\) Regulations 2009 \(S.I. 2009/1511\), reg. 4, Sch.](#)

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