

1975 No. 1715 (S. 238)

**NATIONAL HEALTH SERVICE, SCOTLAND**  
**The National Health Service (Remission of Charges)**  
**(Scotland) Amendment Regulations 1975**

*Made* - - - - - 21st October 1975  
*Laid before Parliament* 27th October 1975  
*Coming into Operation* 17th November 1975

In exercise of the powers conferred on me by section 3(3)(b) (as amended by section 39 of the Health Services and Public Health Act 1968(a) and section 64(2) of and Part I of Schedule 7 to the National Health Service (Scotland) Act 1972 (b)) and section 45(1)(b) (as amended by the said section 39) of the National Health Service (Scotland) Act 1947(c), by section 1(2) of the National Health Service Act 1952(d), and by section 50 of the National Health Service Reorganisation Act 1973 (e) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

*Citation and commencement*

1. These regulations may be cited as the National Health Service (Remission of Charges) (Scotland) Amendment Regulations 1975 and shall come into operation on 17th November 1975.

*Interpretation*

2.—(1) In these regulations, “the principal regulations” means the National Health Service (Remission of Charges) (Scotland) Regulations 1974(f).

(2) The Interpretation Act 1889(g) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

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(a) 1968 c. 46.      (b) 1972 c. 58.      (c) 1947 c. 27.  
(d) 1952 c. 25.      (e) 1973 c. 32.      (f) S.I. 1974/1440 (1974 II. p.5539).  
(g) 1889 c. 63

*Amendment of the principal regulations*

3. The principal regulations shall be amended as follows:—

(a) In regulation 4(b)(i) for the words “Welfare Food Order 1971, as amended” there shall be substituted “Welfare Food Order 1975 (a).”

(b) In regulation 6(1)—

(i) after “paragraphs 3,” there shall be inserted “4(1)(a),” and after “23(1)” there shall be inserted “23 (1A) (as added by section 11 of and paragraph 4(2)(b) of Schedule 3 to the Social Security Benefits Act 1975 (b))”;

(ii) for sub-paragraph (a) there shall be substituted—

“(a) in sub-paragraph (1) (as amended by section 1(3)(a) of the Social Security Act 1971 (c)) of paragraph 23 of the said Schedule 2 (which paragraph relates to the calculation of weekly earnings) for the amount specified in sub-paragraph (a) there were substituted the amount specified in sub-paragraph (b); and”;

(iii) for sub-paragraphs (b)(ii) to (b)(iv) there shall be substituted—

“(ii) such amount in respect of mortgage repayments as is reasonable in the circumstances.”;

(c) For sub-paragraph (a) of regulation 6(2) there shall be substituted—

“(a) In determining what, if any, amount to allow under paragraph 4(1) (a) of the said Schedule 2 regard shall be had to the provisions made by paragraphs 8A(2) and 8A(3) (as added by section 6 of and paragraph 3 of Schedule 4 to the National Insurance and Supplementary Benefit Act 1973 (d)) of that Schedule.”.

*William Ross,*

New St. Andrew's House,  
Edinburgh.

One of Her Majesty's Principal  
Secretaries of State.

21st October 1975.

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EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the National Health Service (Remission of Charges) (Scotland) Regulations 1974 by increasing the amount by which earnings are to be disregarded in ascertaining entitlement to remission, and adjusting the considerations to be applied to exceptional awards.

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(a) S.I. 1975/1686 (1975 III, p. 5757). (b) 1975 c. 11. (c) 1971 c. 73. (d) 1973 c. 42.



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