
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace earlier Regulations on the subject of charges for accommodation, services and other facilities provided as part of the health service in respect of persons not ordinarily resident in the United Kingdom (“overseas visitors”).

The Regulations take account of changes made in section 121 of the National Health Service Act 1977 by section 7(12) and (14) of the Health and Medicines Act 1988 whereby the charge to be paid by an overseas visitor is no longer prescribed in the Regulations, but is determined by the Secretary of State. Health authorities have been directed by the Secretary of State to make appropriate determinations on his behalf.

Regulations 2 and 7 provide for a health authority to make a charge and recover such charge from the person who is liable to make payment. There are exemptions from payment for certain services (regulation 3 and Schedule 1); in respect of certain overseas visitors (regulation 4 and Schedule 2); for treatment the need for which arose during the visit (regulation 5) and for certain service personnel (regulation 6). Provision is also made for repayment where a charge was not duly made (regulation 8).

The instruments which these Regulations replace are revoked by regulation 9 and Schedule 3.