

## STATUTORY INSTRUMENTS

# 1989 No. 364

## The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989

### Services exempted from charges

3. No charge shall be made in respect of any services forming part of the health service provided for an overseas visitor—

- (a) at a hospital accident and emergency department [<sup>F1</sup>or casualty department] unless and until he has been accepted as an in-patient at the hospital for treatment of the condition in respect of which such services are provided; or
- (b) otherwise than at, or by staff employed to work at, or under the direction of, a hospital [<sup>F2</sup>except in the case of [<sup>F3</sup>an oral health assessment, dental examination, eye examination or sight test] provided as mentioned in regulation 2(3)]; or
- (c) for treatment in respect of a disease listed in Schedule 1; or
- (d) at a special clinic for the treatment of sexually transmitted diseases or in respect of a sexually transmitted disease by virtue of a reference from such a clinic, but in the case of services which relate to infection with any Human Immunodeficiency Virus, only to the extent that they consist of a diagnostic test for evidence of infection with any such Virus and counselling associated with that test or its result;
- (e) who is detained in a hospital [<sup>F4</sup>under the Mental Health (Care and Treatment) (Scotland) Act 2003] or any other enactment authorising orders for admission to, and detention in, hospital by reason of mental disorder; or
- (f) with a view to the improvement of his mental condition where submission to the treatment is, under section 184(1) or 385(1) of the Criminal Procedure (Scotland) Act 1975(1), included by the Court in a probation order under section 183(1) or 384(1) of that Act(2).

### Textual Amendments

- F1** Words in reg. 3(a) substituted (3.8.1994) by [The National Health Service \(Charges to Overseas Visitors\) \(Scotland\) Amendment Regulations 1994 \(S.I. 1994/1770\)](#), regs. 1(1), **3**
- F2** Words in reg. 3 inserted (1.4.2006) by [The National Health Service \(Charges to Overseas Visitors\) \(Scotland\) Amendment Regulations 2006 \(S.S.I. 2006/141\)](#), regs. 1(1), **4**
- F3** Words in reg. 3(b) substituted (6.10.2008) by [The National Health Service \(Charges to Overseas Visitors\) \(Scotland\) Amendment Regulations 2008 \(S.S.I. 2008/290\)](#), regs. 1(1), **2(3)**
- F4** Words in reg. 3(e) substituted (5.10.2005) by [The Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(Modification of Subordinate Legislation\) Order 2005 \(S.S.I. 2005/445\)](#), arts. 1, **2**, **sch. para. 6**

(1) [1975 c. 21](#); sections 184(1) and 385(1) were amended by the Mental Health (Scotland) Act [1984 \(c. 36\)](#), Schedule 3, paragraphs 29(a) and 36(a).

(2) Sections 183(1) and 384(1) were amended by the Criminal Justice (Scotland) Act [1987 \(c. 41\)](#), Schedule 1, paragraph 10; section 384(1) was also amended by the Criminal Justice (Scotland) Act [1980 \(c. 62\)](#), section 53(1).

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**Status:** Point in time view as at 06/10/2008. This version of this provision has been superseded.

**Changes to legislation:** There are currently no known outstanding effects for the The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989, Section 3. (See end of Document for details)

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**Commencement Information**

**II** [Reg. 3](#) in force at 5.4.1989, see [reg. 1\(1\)](#)

**Status:**

Point in time view as at 06/10/2008. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service (Charges to Overseas Visitors) (Scotland) Regulations 1989, Section 3.