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STATUTORY INSTRUMENTS

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**1995 No. 2381 (S.178)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment (No.2) Regulations 1995

*Made* - - - - *8th September 1995*  
*Laid before Parliament* *11th September 1995*  
*Coming into force* - - *2nd October 1995*

The Secretary of State, in exercise of the powers conferred on him by sections 75A, 105 and 108(1) of the National Health Service (Scotland) Act 1978 (1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment (No.2) Regulations 1995 and shall come into force on 2nd October 1995.

**Amendment of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988**

2.—(1) Schedule 1 to the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988 (2) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph 2, after sub-paragraph (c) there shall be added the following sub-paragraph—

“(d) as if the Social Security (Income Support and Claims and Payments) Amendment Regulations 1995(3) and the Income Support (General) Amendment and Transitional Regulations 1995(4) had not been made.”.

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(1) 1978 c. 29; Section 75A was inserted by the Social Security Act 1988 (c. 7), section 14(2), and amended by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(13); section 105(7) which was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24, contains provisions relevant to the making of regulations; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.

(2) S.I. 1988/546; relevant amending instruments are S.I. 1990/551, 1990/1665, 1991/575, 1993/642 and 1995/700.

(3) S.I. 1995/1613.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(3) For paragraph 4 there shall be substituted the following paragraph—

“4. The provisions of the Income Support (General) Regulations 1987<sup>(5)</sup> specified in column 1 of Table B in this Schedule shall be applied—

- (a) in accordance with the modifications specified in the corresponding entries in column 2; and
- (b) as if the Social Security (Income Support and Claims and Payments) Amendment Regulations 1995 and the Income Support (General) Amendment and Transitional Regulations 1995 had not been made.”.

St. Andrew’s House,  
Edinburgh  
8th September 1995

*James Douglas-Hamilton*  
Minister of State, Scottish Office

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(4) S.I. 1995/2287.

(5) S.I. 1987/1967 to which there are amendments not relevant to these Regulations.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988 (“the 1988 Regulations”), which provide for the remission and repayment of certain charges which would otherwise be payable under the National Health Service (Scotland) Act 1978 and for the payment of travelling expenses incurred in attending a hospital. For the purposes of calculating a person’s resources and requirements, the 1988 Regulations apply the Income Support (General) Regulations 1987 (“the 1987 Regulations”) with modifications. The amendments made by these Regulations to the 1988 Regulations provide that, in applying the 1987 Regulations to the calculation of a person’s resources and requirements, the Social Security (Income Support and Claims and Payments) Amendment Regulations 1995 and the Income Support (General) Amendment and Transitional Regulations 1995 (both of which make changes in the way housing costs are calculated for income support purposes) shall be disregarded.