
STATUTORY INSTRUMENTS

2003 No. 2382

**The National Health Service (Travel Expenses
and Remission of Charges) Regulations 2003**

PART III

PAYMENTS AND REPAYMENTS

Payment of NHS travel expenses

10.—^[F1](1) Subject to paragraphs ^[F2](1A) to (1C) and] (3) to (5), where a person is entitled in accordance with regulation 5 or 6 to a payment in respect of NHS travel expenses in relation to services which are provided by a provider pursuant to arrangements made under the 2006 Act with the provider by a health service body—

- (a) the person may make an application for payment to the provider or the health service body which made those arrangements; and
- (b) either the provider or that health service body may calculate the actual amount payable in accordance with these Regulations and make the payment.]

^[F3](1A) Subject to paragraphs (3) to (5), where a person is entitled in accordance with regulation 5 or 6 to a payment in respect of NHS travel expenses, the person may make an application in accordance with paragraph (1B), in relation to services that are provided by—

- (a) an integrated care provider; or
- (b) an integrated care sub-contractor.

(1B) An application under paragraph (1A) may be made—

- (a) where the services are provided by an integrated care provider that is an NHS trust or an NHS foundation trust or by an integrated care sub-contractor providing services on behalf of an NHS trust or an NHS foundation trust, to that NHS trust or NHS foundation trust;
- (b) where the services are provided by a local authority, or the arranger of ICP services is a local authority, to the relevant ^[F4]integrated care board];
- (c) where the arranger of ICP services is the Board, to the Board; or
- (d) where the arranger of ICP services is ^[F4]an integrated care board], to that ^[F4]integrated care board].

(1C) Where an application has been made under paragraph (1B) to an NHS trust, an NHS foundation trust, the Board, ^[F4]an integrated care board], or the relevant ^[F4]integrated care board], that NHS trust, that NHS foundation trust, the Board, the ^[F4]integrated care board] or the relevant ^[F4]integrated care board], as the case may be, may calculate the actual amount payable and make the payment.]

^[F5](2) Subject to paragraphs (3) to (5), where a person is entitled in accordance with regulation 5 or 6 to a payment in respect of NHS travel expenses in relation to services which are provided by a

provider pursuant to arrangements made with the provider by a local authority in the exercise of the public health functions of the local authority under the 2006 Act—

- (a) if the provider is an NHS trust or NHS foundation trust, the person may make an application for payment to that NHS trust or NHS foundation trust and that NHS trust or NHS foundation trust must calculate the amount payable in accordance with these Regulations; or
- (b) if the provider is not an NHS trust or NHS foundation trust, the person may make an application for payment to the relevant [F4 integrated care board] and the relevant [F4 integrated care board] must calculate the amount payable in accordance with these Regulations and make the payment.]

[F6(3) In a case falling within regulation 3(1)(b) (travel to a port), the application for payment may be made to, and the calculation and payment must be made by—

- (a) where the arrangements referred to in regulation 3(1)(b) were made by a health service body, the health service body which made those arrangements; F7 ...
- (b) where the arrangements referred to in regulation 3(1)(b) were made by a local authority, the relevant [F4 integrated care board] [F8]; or]

[F9(c) where the arrangements referred to in regulation 3(1)(b) were made by an arranger of ICP services, an integrated care provider or an integrated care sub-contractor—

- (i) where the services were arranged by an NHS trust or an NHS foundation trust or by an integrated care sub-contractor providing services on behalf of an NHS trust or an NHS foundation trust, that NHS trust or NHS foundation trust;
- (ii) where the services were arranged by a local authority, or the arranger of ICP services is a local authority, the relevant [F4 integrated care board];
- (iii) where the arranger of ICP services is the Board, the Board; or
- (iv) where the arranger of ICP services is [F4 an integrated care board], that [F4 integrated care board].]

(4) A person who makes an application for payment in respect of NHS travel expenses must sign a declaration of entitlement and provide such evidence of his entitlement and of his travel expenses as the provider, or as the case may be, the health service body [F10, arranger of ICP services, integrated care provider or integrated care sub-contractor,] which made the arrangements, may require.

(5) Payment of NHS travel expenses may be made before the expenses are incurred.

[F11(6) In this regulation, “relevant [F4 integrated care board] ” means the [F4 integrated care board] in whose area the person making an application under this regulation was usually resident at the time the application was made.]

Textual Amendments

- F1** Reg. 10(1) substituted (1.4.2013) by [The National Health Service \(Charges for Drugs and Appliances\), \(Dental Charges\) and \(Travel Expenses and Remission of Charges\) \(Amendment\) Regulations 2013 \(S.I. 2013/475\)](#), regs. 1(2), **20(2)**
- F2** Words in reg. 10(1) inserted (1.4.2019) by [The Amendments Relating to the Provision of Integrated Care Regulations 2019 \(S.I. 2019/248\)](#), regs. 1(1), **5(2)**
- F3** Reg. 10(1A)-(1C) inserted (1.4.2019) by [The Amendments Relating to the Provision of Integrated Care Regulations 2019 \(S.I. 2019/248\)](#), regs. 1(1), **5(3)**
- F4** Words in [Regulations](#) substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), reg. 1(2), Sch. para. 1(1)(3) (with Sch. para. 1(2))

- F5** Reg. 10(2) substituted (1.4.2013) by The National Health Service (Charges for Drugs and Appliances), (Dental Charges) and (Travel Expenses and Remission of Charges) (Amendment) Regulations 2013 (S.I. 2013/475), regs. 1(2), **20(3)**
- F6** Reg. 10(3) substituted (1.4.2013) by The National Health Service (Charges for Drugs and Appliances), (Dental Charges) and (Travel Expenses and Remission of Charges) (Amendment) Regulations 2013 (S.I. 2013/475), regs. 1(2), **20(4)**
- F7** Word in reg. 10(3)(a) omitted (1.4.2019) by virtue of The Amendments Relating to the Provision of Integrated Care Regulations 2019 (S.I. 2019/248), regs. 1(1), **5(4)(a)**
- F8** Word in reg. 10(3)(b) inserted (1.4.2019) by The Amendments Relating to the Provision of Integrated Care Regulations 2019 (S.I. 2019/248), regs. 1(1), **5(4)(b)**
- F9** Reg. 10(3)(c) inserted (1.4.2019) by The Amendments Relating to the Provision of Integrated Care Regulations 2019 (S.I. 2019/248), regs. 1(1), **5(4)(c)**
- F10** Words in reg. 10(4) inserted (1.4.2019) by The Amendments Relating to the Provision of Integrated Care Regulations 2019 (S.I. 2019/248), regs. 1(1), **5(5)**
- F11** Reg. 10(6) inserted (1.4.2013) by The National Health Service (Charges for Drugs and Appliances), (Dental Charges) and (Travel Expenses and Remission of Charges) (Amendment) Regulations 2013 (S.I. 2013/475), regs. 1(2), **20(5)**

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Travel Expenses and Remission of Charges) Regulations 2003, Section 10.