
STATUTORY INSTRUMENTS

2006 No. 3388

The Personal Injuries (NHS Charges) (General) and Road Traffic (NHS Charges) (Amendment) Regulations 2006

Application for a certificate of NHS charges

2.—(1) An application for a certificate shall be made to the Compensation Recovery Unit and shall include the following particulars—

- (a) the full name and address of the injured person;
- (b) the date of birth, and where known, the national insurance number of that person;
- (c) the date on which the injury occurred;
- (d) the nature of the injury;
- (e) the name and address of any hospital at which the injured person received NHS treatment⁽¹⁾ in respect of his injury;
- (f) where the applicant has made a compensation payment in respect of the injury, the date on which that payment was made;
- (g) where the certificate applied for relates to a claim to which any of the circumstances specified in paragraphs (a) to (g) of section 153(3) (reduction of NHS charges in cases of contributory negligence) applies—
 - (i) a statement of the proportion by which the damages payable in respect of the claim are to be reduced to reflect the injured person's share in the responsibility for the injury in question, and
 - (ii) a copy of the order, judgement, minute or document which provides for that reduction; and
- (h) where the certificate applied for relates to a qualifying claim⁽²⁾, the report referred to in regulation 3(1)(a).

(2) An application under section 151(7)⁽³⁾ must be made not later than 14 days after the date on which the compensation payment is made.

(3) The prescribed period for the purposes of section 151(8)(b) (circumstances in which section 151(7) applies) is 28 days.

(1) See section 168 of the 2003 Act for the meaning of NHS treatment.

(2) See section 153(9) of the 2003 Act for the meaning of qualifying claim. Section 153(9) was amended by the Health Act 2006 (c.28), section 73.

(3) Section 151(7) requires an application for a certificate to be made where at the time the compensation payment is made, there is neither a certificate in force nor has an application for such a certificate been made within the previous 28 days (as prescribed in regulation 2(3)).