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STATUTORY INSTRUMENTS

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**2015 No. 238**

**The National Health Service (Charges  
to Overseas Visitors) Regulations 2015**

**PART 4**

**Overseas visitors exempt from charges**

**Refugees, asylum seekers, supported individuals and looked after children**

**15.** No charge may be made or recovered in respect of any relevant services provided to an overseas visitor who—

- (a) has been granted temporary protection, asylum or humanitarian protection under the immigration rules;
- (b) has made an application, which has not yet been determined, to be granted temporary protection, asylum or humanitarian protection under those rules;
- (c) is currently supported under section 95 (persons for whom support may be provided) of the Immigration and Asylum Act 1999<sup>(1)</sup> (“the 1999 Act”);
- (d) has made an application to be granted temporary protection, asylum or humanitarian protection under the immigration rules which was rejected and who is supported under—
  - (i) section 4(2) (facilities for the accommodation of a person) of the 1999 Act<sup>(2)</sup>; or
  - (ii) section 21 (duty of local authorities to provide accommodation) of the National Assistance Act 1948<sup>(3)</sup>; or
- (e) is a child who is looked after by a local authority within the meaning of section 22(1) (general duty of local authority in relation to children looked after by them) of the Children Act 1989<sup>(4)</sup>.

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- (1) 1999 c. 33; section 95 was amended by the Nationality, Immigration and Asylum Act 2002 (c. 41), section 44(1) and (6) and 50(1).
- (2) Section 4 was amended by the Nationality, Immigration and Asylum Act 2002 (c. 41), section 49; the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (c. 19), section 10(1) and (6), and the Immigration, Asylum and Nationality Act 2006 (c. 13), section 43(7).
- (3) 1948 c. 29. Relevant amendments to section 21 were made by the Local Government Act 1972 (c. 70), Schedule 23, paragraph 2, and Schedule 30; the National Health Service Reorganisation Act 1973 (c. 32), Schedule 5; the Housing (Homeless Persons) Act 1977 (c. 48), Schedule; the Children Act 1989 (c. 41), Schedule 13, paragraph 11(1); the National Health Service and Community Care Act 1990 (c. 19), section 42(1), Schedule 9, paragraph 5(1) to (3), and Schedule 10; the Immigration and Asylum Act 1999 (c. 33), section 116; the Health and Social Care Act 2001 (c. 15), section 53; the Nationality, Immigration and Asylum Act 2002 (c. 41), section 45(5), and the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraphs 5 and 6.
- (4) 1989 c. 41; section 22(1) was amended by the Local Government Act 2000 (c. 22), Schedule 5, paragraph 19; the Children (Leaving Care) Act 2000 (c. 35), section 2(1) and (2), and the Adoption and Children Act 2002 (c. 38), section 116(2).