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## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 2015 (S.I. 2015/238), which provide for the making and recovery of charges for relevant services provided under the National Health Service Act 2006 (c. 41) to overseas visitors (people who are not ordinarily resident in the United Kingdom).

Regulations 2(2)(a) and 2(4) amend the domestic violence exemption by inserting the definition of “domestic abuse” from the Domestic Abuse Act 2021 (c. 17).

Regulations 2(2)(b)-(d), 2(5) and 2(8)(a) amend the healthcare agreement exemption from charges to ensure the definition is consistent with section 3 of the Healthcare (European Economic Area and Switzerland Arrangements) Act 2019 (c. 14), as amended by section 162 of the Health and Care Act 2022 (c. 31).

Regulation 2(3) extends the exemption from charges for prior treatment for those subsequently granted protection under immigration rules (“refugees”), to include their dependants, and for those subsequently identified as victims of modern slavery, to include their family members. Regulation 2(6) amends the exemption from charges for dependants of refugees, so as to include dependants who are born in the United Kingdom to refugees.

Regulation 2(7) amends the exemption for family members of victims of modern slavery, removing the requirement that the family member is lawfully present in the United Kingdom.

Regulation 2(8) adds the Bailiwick of Guernsey, Iceland, Liechtenstein and Malta to the list of healthcare agreements in Schedule 2.

A full impact assessment has not been produced for these Regulations as no, or no significant, impact on the private, voluntary or public sector is foreseen.