

2022 No. 614

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (Charges to Overseas Visitors)
(Amendment) (No. 3) Regulations 2022**

<i>Made</i> - - - -	<i>6th June 2022</i>
<i>Laid before Parliament</i>	<i>7th June 2022</i>
<i>Coming into force</i> - -	<i>8th June 2022</i>

The Secretary of State for Health and Social Care, in exercise of the powers conferred by sections 175 and 272(7) and (8) of the National Health Service Act 2006(a), makes the following Regulations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Health Service (Charges to Overseas Visitors) (Amendment) (No. 3) Regulations 2022 and come into force on 8th June 2022.

(2) These Regulations extend to England and Wales.

Amendment of the National Health Service (Charges to Overseas Visitors) Regulations 2015

2.—(1) The National Health Service (Charges to Overseas Visitors) Regulations 2015(b) are amended as follows.

(2) In regulation 9—

- (a) the existing text becomes paragraph (1);
- (b) after the new paragraph (1), add—

“(2) In a case to which this paragraph applies, a relevant body—

- (a) yet to make charges under regulation 3 (obligation to make and recover charges), must not make the charges;
- (b) that made charges under regulation 3 but has yet to recover the charges, must not recover the charges; or
- (c) that made charges under regulation 3 and received payment in respect of the charges, must repay any sum repaid in respect of the charges in accordance with regulation 5 (repayment of a sum recovered or secured by a relevant body).

(3) Paragraph (2) applies in the case of an overseas visitor who, on or after 1st May 2022 but before that paragraph came into force, was provided with services for the diagnosis or treatment of monkeypox.”.

(a) 2006 c. 41. By virtue of section 271(1) of the National Health Service Act 2006 (“the 2006 Act”), the powers of the Secretary of State exercised in making these Regulations are exercisable only in relation to England. See section 275(1) of the 2006 Act for the definition of “prescribed” and “regulations”.

(b) S.I. 2015/238, amended by S.I. 2015/2025 and S.I. 2022/19; there are other amending instruments, but none are relevant.

(3) In Schedule 1, in the appropriate alphabetical position, insert “Monkeypox”.

6th June 2022

Sajid Javid
Secretary of State,
Department of Health and Social Care

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) (“the 2015 Regulations”), which provide for the making and recovery of charges for relevant services provided under the National Health Service Act 2006 to certain persons not ordinarily resident in the United Kingdom (overseas visitors). The 2015 Regulations and these amendments apply in relation to England only.

Regulation 2 amends the 2015 Regulations to insert “Monkeypox” into Schedule 1 (diseases for which no charge is to be made for treatment). Regulation 2(2)(b) provides that charges incurred in respect of services for the diagnosis or treatment of monkeypox should: if not yet made, not be made; or, if made, should not be recovered or, if paid, should be repaid.

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

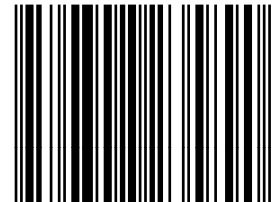
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