
WELSH STATUTORY INSTRUMENTS

2007 No. 1104

**The National Health Service (Travelling Expenses
and Remission of Charges) (Wales) Regulations 2007**

PART 3

PAYMENTS AND REPAYMENTS

Payment of NHS travelling expenses

9.—(1) Subject to paragraphs (2) to (5), where a person is entitled in accordance with regulation 5 or 6 to a payment in respect of NHS travelling expenses—

- (a) he or she must make an application to the provider; and
- (b) the provider must calculate the actual amount payable in accordance with these Regulations and make the payment.

(2) Where services are provided pursuant to arrangements made under section 10 of and paragraph 18 of Schedule 3 to the Act, the application for payment may be made to, and the calculation and payment may be made by, either the provider or the health service body which made those arrangements.

(3) In a case falling within regulation 3(1)(b) (travel to a port) the application for payment must be made to, and the calculation and payment must be made by, the health service body which made the arrangements referred to in that provision.

(4) A person who makes an application for payment in respect of NHS travelling expenses must sign a declaration of entitlement and provide such evidence of his or her entitlement and of his or her travelling expenses as the provider, or as the case may be, the health service body which made the arrangements, may require.

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

Claims for repayment

10.—(1) A person who is entitled under these Regulations to full or partial remission of an NHS charge or to full or payment in part of NHS travelling expenses and who pays such a charge or such travelling expenses without exercising his or her right to remission or payment, is entitled to be repaid that amount which would have been remitted or paid.

(2) A person who wishes to exercise his or her right to repayment under paragraph (1) must make a claim to the National Assembly for Wales on a form provided for the purposes by it or approved by it.

(3) A claim under paragraph (2) must be made within three months of the date on which the payment of the NHS charge or the NHS travelling expenses was made or within such longer period as the National Assembly for Wales may for good cause allow.

(4) Paragraphs (2) to (4) of regulation 7 (claims to entitlement) apply to a claim under this regulation.

Repayments

11.—(1) Where the National Assembly for Wales is satisfied that a claimant is entitled to any repayment under regulation 10 it must—

- (a) in the case of a repayment to be made in respect of NHS travelling expenses incurred by a person attending a hospital or any other place managed by an NHS trust, notify in writing the NHS trust of the claimant's entitlement; or
- (b) in a case falling within regulation 3(1)(b) (travel to a port) notify in writing the health service body which made the arrangements referred to in that provision of the claimant's entitlement; or
- (c) in any other case, cause a repayment to be made to the claimant in such manner as appears to the National Assembly for Wales to be appropriate in the circumstances of the particular case.

(2) Where an NHS trust or other health service body receives notification as mentioned in paragraph (1), it must calculate any amount payable in respect of NHS travelling expenses in accordance with these Regulations and make any repayment due to a claimant in respect of such NHS travelling expenses or NHS charge.

(3) A person who is entitled to repayment in respect of NHS travelling expenses must sign a declaration of entitlement and provide such evidence of his or her entitlement and of his or her travelling expenses as the health service body which is making the repayment may require.

Reimbursement of payments made in respect of NHS travelling expenses

12. Where a provider makes a payment under regulation 9(1) or (2) or a repayment under regulation 11(a) in respect of NHS travelling expenses incurred by a person who is receiving services from the provider, the amount of the payment or repayment in question will be reimbursed to the provider by the health service body for which those services are provided.

Payment and repayment of NHS foreign travelling expenses

13.—(1) A person who wishes to claim entitlement to payment or repayment for NHS foreign travelling expenses must apply in writing to the health service body which arranged the services referred to in regulation 3(2) within three months of the expenses having been incurred or such further period as that body may for good cause allow.

(2) Paragraph (2) to (4) of regulation 7 (claims to entitlement) apply to a claim (whether for payment or repayment) made under this regulation as if the references to the National Assembly for Wales in those paragraphs were references to the health service body which arranged the services referred to in regulation 3(2).