
WELSH STATUTORY INSTRUMENTS

2007 No. 1104

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

PART 2

**ENTITLEMENT TO PAYMENT OF NHS TRAVELLING
EXPENSES AND REMISSION OF NHS CHARGES**

Entitlement to full remission and payment

5.—(1) Subject to paragraph (3), a person is entitled, without making a claim under regulation 7 (claims to entitlement), to the payment in full of NHS travelling expenses and the full remission of an NHS charge if he or she—

- (a) is receiving income support;
- (b) is receiving income based jobseeker's allowance;
- (c) is receiving pension credit guarantee credit;
- (d) is a member of the same family as a person who is receiving income support, income based jobseeker's allowance or pension credit guarantee credit; or
- (e) is a member of a family one member of which is receiving—
 - (i) working tax credit and child tax credit,
 - (ii) working tax credit which includes a disability element or a severe disability element,
or
 - (iii) child tax credit, but is not eligible for working tax credit,

provided that the relevant income of the member or members to whom the tax credit is made under section 14 of the Tax Credits Act 2002 is determined at the time of the award not to exceed £15,050.

(2) Subject to paragraph (3), the following persons are entitled to the payment in full of NHS travelling expenses and the remission in full of an NHS charge but are required to make a claim for such payment or remission in accordance with regulation 7 (claims to entitlement)—

- (a) a person who lives permanently in —
 - (i) a care home, or
 - (ii) accommodation provided by a local authority under sections 21 to 24 and 26 of the National Assistance Act 1948 (provision of accommodation),
and who has satisfied that authority that he or she is unable to pay for that accommodation at the standard rate, or, as the case may be, the full rate;
- (b) an asylum-seeker for whom support is provided under Part VI of the Immigration and Asylum Act 1999;
- (c) a member of the same family as an asylum-seeker described in sub-paragraph (b);

- (d) a relevant child within the meaning of section 23A of the Children Act 1989⁽¹⁾ for whom a responsible local authority is providing support under section 23B(8) of that Act;
 - (e) any other person who satisfies the National Assembly for Wales in accordance with Part 4 that his or her capital resources do not exceed the capital limit and that his or her income resources do not exceed his or her requirements or exceed his or her requirements by fifty per cent or less of the amount of the charge specified in regulation 3(1)(b) of the National Health Service (Charges for Drugs and Appliances) Regulations 2000⁽²⁾; and
 - (f) a member of the same family as a person described in sub-paragraph (e).
- (3) A person's entitlement to the payment in full of NHS travelling expenses or the full remission of an NHS charge arises only if at the time when—
- (a) the charge is made;
 - (b) the NHS travelling expenses are incurred; or
 - (c) in the case of a charge for relevant dental services—
 - (i) the arrangements for the treatment or urgent course of treatment under the Act are made,
 - (ii) the arrangements for the supply of a denture or other dental appliance under the Act otherwise than as part of relevant primary dental services are made, or
 - (iii) when the charge is made,he or she is a person described in paragraph (1) or (2).

(1) S.I. 2002/1792
(2) 1989 c. 41.