
WELSH STATUTORY INSTRUMENTS

2010 No. 1237 (W.107)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) Regulations 2010

<i>Made</i>	- - - -	<i>9 April 2010</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>12 April 2010</i>
<i>Coming into force</i>	- -	<i>12 April 2010</i>

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 130, 131 and 203(9) and (10) of the National Health Service (Wales) Act 2006 **(1)** and now vested in them**(2)**.

Title, application and commencement

1.—(1) The title of these Regulations is the National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) Regulations 2010.

(2) These Regulations apply in relation to Wales and come into force on 12 April 2010.

Interpretation

2. In these Regulations, “the 2007 Regulations” (“*Rheoliadau 2007*”) means the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007**(3)**.

Amendment to the 2007 Regulations

3.—(1) The 2007 Regulations are amended as follows.

(2) In Column 2 of Table A in Schedule 1 (modifications to the Income Support (General) Regulations 1987), for the modification of paragraph (1A) of regulation 53 (calculation of tariff income from capital) of those Regulations substitute “Paragraph 1A is omitted”.

(1) 2006 c. 42.

(2) Functions of the former National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) S.I.2007/1104 (W.116). Relevant amending instruments are S.I. 2008/1480 (W.153), 1879 and 2568 (W.226); and 2009/709 (W.61)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9 April 2010

Edwina Hart
Minister for Health and Social Services, one of
the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which apply in relation to Wales, further amend the National Health Service (Travel Expenses and Remission of Charges)(Wales) Regulations 2007 (“the principal Regulations”). Those Regulations provide for the payment of travel expenses and the remission of National Health Service charges for, amongst others, persons on low incomes, by reference to limits on their income and capital.

In calculating a person’s resources and requirements under the principal Regulations in order to establish whether a person can claim entitlement to the remission of NHS charges and payment of NHS travelling expenses, a modified version of the Income Support (General) Regulations 1987 is applied.

Regulation 3 changes the modification to regulation 53 of the 1987 Regulations by omitting paragraph (1A). Broadly speaking, the effect of this is that claimants living in certain types of residential care accommodation, as specified in paragraph (1B), will no longer have part of their capital treated as income for the purposes of calculating their entitlement under the principal Regulations. The prescribed capital limit (presently £22,000) will continue to apply to such claimants.