



Immigration Act 2014

2014 CHAPTER 22

PART 3

ACCESS TO SERVICES ETC

CHAPTER 2

OTHER SERVICES ETC

National Health Service

39 Related provision: charges for health services

- (1) A reference in the NHS charging provisions to persons not ordinarily resident in Great Britain or persons not ordinarily resident in Northern Ireland includes (without prejudice to the generality of that reference) a reference to—
 - (a) persons who require leave to enter or remain in the United Kingdom but do not have it, and
 - (b) persons who have leave to enter or remain in the United Kingdom for a limited period [^{F1}unless that leave was granted by virtue of residence scheme immigration rules].
- (2) The “NHS charging provisions” are—
 - (a) section 175 of the National Health Service Act 2006 (charges in respect of persons not ordinarily resident in Great Britain);
 - (b) section 124 of the National Health Service (Wales) Act 2006 (charges in respect of persons not ordinarily resident in Great Britain);
 - (c) section 98 of the National Health Service (Scotland) Act 1978 (charges in respect of persons not ordinarily resident in Great Britain);
 - (d) Article 42 of the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)) (provision of services to persons not ordinarily resident in Northern Ireland).

Changes to legislation: Immigration Act 2014, Section 39 is up to date with all changes known to be in force on or before 17 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F2}(3) For the purposes of subsection (1) “residence scheme immigration rules” has the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020.]

Textual Amendments

- F1** Words in s. 39(1)(b) inserted (31.12.2020) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **20(4)(a)**
- F2** S. 39(3) inserted (31.12.2020) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2), **20(4)(b)**
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Commencement Information

- I1** S. 39 in force at 6.4.2015 by [S.I. 2015/874](#), **art. 2(a)**

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2014/2771 by [S.I. 2015/371 art. 78](#)
- specified provision(s) savings for earlier commencing SI 2014/2771 by [S.I. 2014/2928 art. 2](#) (Amendment already reflected in Appended Commentary in EXTOES for 2014 SI2771.)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(4A) inserted by [S.I. 2019/745 reg. 21\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 27(7) inserted by [S.I. 2019/745 reg. 21\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(2)(3) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- s. 70A(6A) inserted by [S.I. 2019/745 reg. 21\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Reg. 21(7) omitted immediately before IP completion day by virtue of S.I. 2020/1309, regs. 1(2)(a), 48)
- Sch. 3 para. 8A inserted by [2016 c. 19 Sch. 12 para. 16](#)