

1989 No. 517

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (Travelling Expenses and Remission of Charges) Amendment Regulations 1989

<i>Made</i> - - - -	<i>20th March 1989</i>
<i>Laid before Parliament</i>	<i>20th March 1989</i>
<i>Coming into force</i>	<i>10th April 1989</i>

The Secretary of State for Health, in exercise of powers conferred on him by section 83A of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) Amendment Regulations 1989 and shall come into force on 10th April 1989.

Amendment of Regulations

2.—(1) Part II of Schedule 1 to the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988(b) (calculation of requirements) is amended in accordance with the following paragraphs of this regulation.

(2) In paragraph 4 there are added after the words "column 2" the words "except that where a claimant or his partner is liable to a personal community charge under section 8 of the Abolition of Domestic Rates Etc. (Scotland) Act 1987(c) or a collective community charge under section 11 of that Act the provisions of those Regulations shall be applied in accordance with the modifications specified in the corresponding entries in column 2 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Regulations 1988(d)".

(3) In Table B, in column (2) for the words "As if in paragraph 1" to "omitted" where they appear in relation to the entry in column (1) "Schedule 3", there are substituted the following words:—

"As if in paragraph 1—

for sub-paragraph (aa) there were substituted—

"(aa) payments of interest and capital under a hire purchase agreement to buy the dwelling occupied as a home;"; and

after sub-paragraph (h) there were added—

"(i) mortgage capital payments;

(j) payments in respect of an endowment policy in connection with the purchase of the dwelling occupied as the home;

(a) 1977 c.49; see section 128(1) for the definitions of "prescribed" and "regulations"; section 83A was inserted by section 14(1) of the Social Security Act 1988 (c.7).

(b) S.I. 1988/551.

(c) 1987 c.47.

(d) S.I. 1988/546, amended by S.I. 1989/393.

- (k) payments by way of rent which do not otherwise fall within sub-paragraph (c) or (e) of this paragraph;
- (l) 80 per cent of the general rates payable in respect of the dwelling occupied as the home.”.

As if paragraphs 5(a), 7 and 8 were omitted.

As if in paragraph 9(1) for the words “paragraph 1(c) to (h)” there were substituted the words “paragraph 1(c) to (h) and (k)”.

As if paragraph 10 were omitted.

As if in paragraph 11—

for sub-paragraph (1)(a) and (b) there were substituted—

“(a) in respect of a non-dependant aged 18 or more who is in remunerative work or is a person to whom regulation 3(3) applies (non-dependants), £11.20;

(b) in respect of a non-dependant aged 18 or more to whom (a) does not apply—

(i) except where sub-paragraph (ii) applies, £6.45;

(ii) where the non-dependant is aged under 25 and is in receipt of income support, £3.00.”;

in sub-paragraph (2) for the words “the deduction specified in sub-paragraph (1)(b) appropriate in his case” there were substituted “£6.45”;

sub-paragraphs (7)(d) and (e) were omitted.”

Signed by the authority of the Secretary of State for Health

20th March 1989

D. Mellor
Minister of State
Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988 (“the 1988 Regulations”) which provide for the remission and repayment of certain charges which would otherwise be payable under the National Health Service Act 1977 and for the payment by the Secretary of State of certain travelling expenses.

Regulation 2 amends paragraph 4 and Table B in Part II of Schedule 1 to the 1988 Regulations. Regulation 2(2) provides for taking into account community charges in Scotland. The amendments to Table B in regulation 2(3) provide for capital and interest payments made under a hire purchase agreement to buy a dwelling to be taken into account in assessing housing costs and increases the deductions to be made in respect of housing costs in respect of non-dependants.

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ISBN 0 11 096517 5