

## 2010 No. 352

### HEALTH AND PERSONAL SOCIAL SERVICES

#### The Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2010

*Made* - - - - - *25th October 2010*

*Coming into operation* - *15th November 2010*

The Department of Health, Social Services and Public Safety<sup>(a)</sup>, makes the following Regulations in exercise of the powers conferred by Articles 45, 98, 106 and 107(6) of, and paragraphs 1(b) and 1B of Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(b)</sup>, and with the approval of the Department of Finance and Personnel insofar as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel insofar as they relate to travelling expenses.

#### Citation and commencement

1. These Regulations may be cited as the Travelling Expenses and Remission of Charges (Amendment No. 2) Regulations (Northern Ireland) 2010 and shall come into operation on 15th November 2010.

#### Amendment of Schedule 1 to the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004

2.—(1) The Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004<sup>(c)</sup> are amended in accordance with paragraph (2).

(2) Column 2 of Table A in Schedule 1 (Modifications of the Income Support (General) Regulations (Northern Ireland) 1987), is amended as follows—

(a) in the modifications of regulation 62 (Calculation of grant income) of the Income Support (General) Regulations (Northern Ireland) 1987<sup>(d)</sup>, for the entry relating to the insertion of paragraph (2B) substitute the following—

“(2B) There shall also be disregarded from a student’s grant income—

(a) any sum by way of maintenance grant available to a student under regulation 58 of the Education (Student Support)(No. 2) Regulations (Northern Ireland) 2009<sup>(e)</sup> which is not taken into account in the calculation of the maximum amount of a loan for living costs under regulation 66 of those Regulations;

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(a) See S.I. 1999/283 (N.I. 1) Article 3(6)

(b) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are S.I. 1988/594 (N.I. 2) Article 14 and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5 and S.R. 1999 No. 11

(c) S.R. 2004 No. 91; relevant amending Regulations are S.R. 2004 Nos. 156 and 162, S.R. 2005 Nos. 107 and 386, S.R. 2006 Nos. 136, 190 and 333, S.R. 2007 Nos. 264 and 437, S.R. 2008 Nos. 39, 292 and 391, S.R. 2009 Nos. 52, 151 and 329 and S.R. 2010 No. 201

(d) S.R. 1987 No. 459

(e) S.R. 2009 No. 373

- (b) any sum by way of maintenance grant available to a student under regulations 57 to 59 of the Education (Student Support) Regulations 2009(a) which is not taken into account in the calculation of the maximum amount of a loan for living costs under Chapter 2 of Part 6 of those Regulations; and
  - (c) any sum by way of maintenance grant available to a student under regulations 38 or 39 of the Assembly Learning Grants and Loans (Higher Education)(Wales) Regulations 2009(b) which is not taken into account in the calculation of the maximum amount of a loan for living costs under regulations 46 to 48 of those Regulations.”; and
- (b) in the modification of regulation 66A (Treatment of student loans) of those Regulations, in the first entry, for “Student Support Information Guide 2009-2010” substitute “Student Support Information Guide 2010-2011(c)”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 25th October 2010



*Christine Jendoubi*  
A senior officer of the  
Department of Health, Social Services and Public Safety

Sealed with the Official Seal of the Department of Finance and Personnel insofar as the foregoing Regulations relate to travelling expenses on 25th October 2010



*Adrian Arbuthnot*  
A senior officer of the  
Department of Finance and Personnel

The Department of Finance and Personnel hereby approves the foregoing Regulations insofar as they relate to the remission of charges.

Sealed with the Official Seal of the Department of Finance and Personnel on 25th October 2010



*Adrian Arbuthnot*  
A senior officer of the  
Department of Finance and Personnel

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(a) S.I. 2009/1555

(b) S.I. 2009/2737 (W. 235)

(c) The Guide is available on the Student Awards Agency for Scotland website at [www.saas.gov.uk](http://www.saas.gov.uk)

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations further amend the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004 (“the principal Regulations”), which provide for remission and payment of certain charges which would otherwise be payable under the Health and Personal Social Services (Northern Ireland) Order 1972 and for payment by the Department of Health, Social Services and Public Safety of travelling expenses incurred in attending a hospital for, amongst others, persons on low incomes, by reference to limits on their income and capital (“the low income scheme”).

In calculating a person’s resources and requirements under the principal Regulations in order to establish whether a person can claim entitlement to remission of Health Service charges and the payment of Health Services travelling expenses, a modified version of the Income Support (General) Regulations (Northern Ireland) 1987 is used, as set out in Schedule 1 to the principal Regulations.

Regulation 2 amends the modifications in Schedule 1 to the principal Regulations to update the references to student funding Regulations in Northern Ireland, England and Wales. These set out the entitlement to grants and loans available to students. Certain of the amounts of student maintenance grants are disregarded in calculating the entitlement of students to remission of Health Service charges and the payment of Health Services travelling expenses under the principal Regulations.

Regulation 2 also amends the reference to the publication which describes additional loans paid under the Education (Student Loans) (Scotland) Regulations 2007. These loans are disregarded in the calculation of a student’s loan income when a person’s entitlement to remission of Health Service charges and the payment of Health Services travelling expenses is being established under the principal Regulations.

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