SCOTTISH STATUTORY INSTRUMENTS

2005 No. 3

NATIONAL HEALTH SERVICE

The National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 2005

Made - - - -	*10th January 2005*
Laid before the Scottish Parliament - - - -	*10th January 2005*
Coming into force - -	*1st February 2005*

The Scottish Ministers, in exercise of the powers conferred by sections 75A, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) Amendment Regulations 2005.

(2) These Regulations shall come into force on 1st February 2005.

(3) In these Regulations–

"the Income Support Regulations" means the Income Support (General) Regulations 1987(**2**);

"the principal Regulations" means the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003(**3**); and

"the State Pension Credit Regulations" means the State Pension Credit Regulations 2002(**4**).

(**1**) 1978 c. 29; section 75A was inserted by the Social Security Act 1988 (c. 7), section 14(2), and amended by the Health and Medicines Act 1988 (c. 49), Schedule 2, paragraph 13, the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, Part I, paragraphs 32 and 51, the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(13), and by S.I.1998/2385; section 105(7) was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5, and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24, and by the Health Act 1999 (c. 8), Schedule 4, paragraph 60; section 108(1) contains definitions of "prescribed" and "regulations" relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I. 1987/1967.

(**3**) S.S.I. 2003/460, as amended by S.S.I. 2004/102 and S.S.I. 2004/166.

(**4**) S.I. 2002/1792, as amended by S.I. 2004/552.

Amendment of the principal Regulations

2. In regulation 2 (interpretation) of the principal Regulations after the definition of "standard rate", insert–

""the State Pension Credit Regulations" means the State Pension Credit Regulations 2002(**5**)

Amendment of the Schedule to the principal Regulations

3.—(1) The Schedule to the principal Regulations is amended in accordance with paragraphs (2) and (3).

(2) In Table A, in the modifications of–

(a) regulations 45 and 53 of the Income Support Regulations, for "£19,500" in each place where it occurs, substitute "£20,000";

(b) regulation 53 of the Income Support Regulations, for "£12,000" substitute "£12,250"; and

(c) Schedule 8 to the Income Support Regulations–

(i) for the first entry beginning "In paragraph 4(2)" and ending "higher pensioner premium"" substitute–

"For paragraph 4(3) substitute—

"(3) This paragraph applies where–

(a) the claimant is aged not less than 60; or

(b) the claimant is a member of a couple, where at least one partner is aged not less than 60."; and"

(ii) for the entry "In paragraph 4 omit sub-paragraphs (3), (4) and (7)" substitute "In paragraph 4 omit sub paragraphs (4) and (7)".

(3) In Table B, in the modifications of Schedule 2 to the Income Support Regulations–

(a) for the first entry beginning "In column (1) of the Table" and ending "(4) Couple"" substitute–

"In column (1) of the Table for sub-paragraphs (1) to (4) substitute–

"(1) single person aged not less than 25;

(2) single person or lone parent aged not less than 60;

(3) lone parent aged less than 60;

(4) single person aged less than 25;

(5) couple;

(6) couple, where at least one partner is aged not less than 60";"

(b) for the second entry beginning "In column (2) of the Table" and ending "paragraph 3(d) of column (2) in the unmodified Regulations" substitute–

"In column (2) of the Table (amounts) insert–

(a) against sub paragraph (1) of column (1), the amount prescribed in paragraph (1)(e) of column (2) in the unmodified Regulations;

(b) against sub paragraph (2) of column (1), the amount prescribed in regulation 6(1)(b) of the State Pension Credit Regulations;

(**5**) S.I. 2002/1792, as amended by S.I. 2004/552.