WELSH STATUTORY INSTRUMENTS

2011 No. 1940 (W.208)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) (No.2) Regulations 2011

Made - - - - *31 July 2011*
Laid before the National Assembly for Wales - - *4 August 2011*

Coming into force in accordance with regulation 1

The Welsh Ministers make the following Regulations in exercise of the powers conferred by sections 130, 131, 132 and 203(9) and (10) of the National Health Service (Wales) Act 2006(**1**) and now vested in them(**2**).

Title, commencement and effect

1.—(1) The title of these Regulations is the National Health Service (Travelling Expenses and Remission of Charges) (Wales) (Amendment) (No.2) Regulations 2011.

(2) These Regulations come into force on 1 September 2011 and have effect from that date, except as provided in paragraphs (3) and (4).

(3) Regulation 3(3) ceases to have effect on 1 September 2012.

(4) Regulation 3(4) has effect from 1 September 2012.

Interpretation

2. In these Regulations—

"the 1987 Regulations" ("*Rheoliadau 1987*") means the Income Support (General) Regulations 1987(**3**); and

"the 2007 Regulations" ("*Rheoliadau 2007*") means the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007(**4**).

(**1**) 2006 c. 42.
(**2**) Functions of the National Assembly for Wales constituted by the Government of Wales Act 1998 (c. 38) were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
(**3**) S.I.1987/1967.
(**4**) S.I. 2007/1104 (W.116). Relevant amending instruments are S.I. 2008/1480 (W.153), S.I. 2009/54 (W.18), S.I. 2010/1237 (W.107), S.I. 2010/2759 (W.231) and S.I. 2011/681(W.100).

Amendment of Table A of Schedule 1 to the 2007 Regulations

3.—(1) Column 2 of Table A of Schedule 1 to the 2007 Regulations (modifications of the Income Support (General) Regulations 1987) is amended as follows.

(2) In the modification of regulation 23 (calculation of income and capital of members of claimant's family and of a polygamous marriage) of the 1987 Regulations for the words "section 22(5) of the Act" substitute "section 136 of the Social Security Contributions and Benefits Act(**5**)".

(3) In the modification of regulation 62 of the 1987 Regulations (calculation of grant income) for the entry relating to the insertion of paragraph (2) substitute the following—

"(2C) There must also be disregarded from a student's grant income —

(a) any sum by way of maintenance grant available to a student under regulations 57 to 59 of the Education (Student Support) Regulations 2009(**6**) 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;

(b) any sum by way of maintenance grant available to a student under regulations 38 to 40 of the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2011(**7**) which is not taken into account in the calculation of the maximum amount of a loan for living costs under regulations 48 to 51 of those Regulations; and

(c) 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(**8**) 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.".

(4) In the modification of regulation 62 (calculation of grant income) of the 1987 Regulations for the entry relating to the insertion of paragraph (2) substitute the following—

"(2C) There must also be disregarded from a student's grant income —

(a) any sum by way of maintenance grant available to a student under regulations 57 to 59 of the Education (Student Support) Regulations 2009 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;

(b) any sum by way of maintenance grant available to a student under regulations 39 to 41 of the Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2011(**9**) which is not taken into account in the calculation of the maximum amount of a loan for living costs under regulations 49 to 52 of those Regulations; and

(c) 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 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.".

(5) In the modification of regulation 66A (treatment of student loans) of the 1987 Regulations in the substitute paragraph (1)(b), for "Student Support Information Guide 2009-10" substitute "Student Support Information Guide 2011-12(**10**)".

(**5**) 1992 c. 4.
(**6**) S.I. 2009/1555.
(**7**) S.I. 2011/148 (W.32).
(**8**) S.I. 2009/373 (N.I.).
(**9**) S.I. 2011/886 (W.130).
(**10**) The Guide is available on the Student Awards Agency for Scotland website at http://www.saas.gov.uk.