WELSH STATUTORY INSTRUMENTS

2006 No. 2791 (W.232)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (No. 2) Regulations 2006

Made - - - -	*17 October 2006*
Coming into force - -	*18 October 2006*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 83A and 126(4) of the National Health Service Act 1977(**1**).

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (No. 2) Regulations 2006 and they come into force on 18 October 2006.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations—

(a) "the Principal Regulations" ("*y prif Reoliadau*") means the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988(**2**); and

(**1**) 1977 (c. 49). Section 83A was inserted by section 14(1) of the Social Security Act 1988 (c. 7) ("the 1988 Act") and amended by section 25 of, and paragraph 6 of Schedule 2 to, the 1988 Act, section 41(10) of, and paragraph 19 of Schedule 2 to, the National Health Service (Primary Care) Act 1997 (c. 46), article 2 of S.I. 1998/2385, article 3(1) of, and paragraph 5 and 13 of Schedule 1 to, S.I. 2000/90, section 66(1) of, and paragraph 18 (5) of Schedule 9 to the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act"), section 2(1) of, and paragraph 40 of Schedule 1 to, the Health Authorities Act 1995 (c. 17), section 2(5) of, and paragraphs 1 and 32 of Part 1 of Schedule 2 to, the National Health Service Reform and Health Care Professions Act 2002 (c. 17) ("the 2002 Act") and by sections 34 and 184 of, and paragraphs 23 and 32(b) of Schedule 4 to, and paragraphs 7 and 31 of Schedule 11 to, the Health and Social Care (Community Health and Standards Act 2003 (c. 43) ("the 2003 Act"). Section 126(4) has been amended by section 65(2) of the 1990 Act, section 65(1) of, and paragraphs 4 and 37 of Schedule 4 to, the Health Act 1999 (c. 8) ("the 1999 Act"), section 67(1) of, and paragraph 5 and 13 of Part 1 of Schedule 5 to, the Health and Social Care Act 2001 (c. 15), sections 6(3)(c) and 37(1) of the 2002 Act and sections 184 and 196 of, and paragraphs 7 and 38 of Schedule 11 to, and Part 4 of Schedule 14 to the 2003 Act. The functions of the Secretary of State under these provisions are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2(a) of the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, as amended by section 66(5) of the 1999 Act.

(**2**) S.I.1988/551 as amended by S.I.1989/394, 517 and 614, 1990/548, 918 and 661, 1991/557, 1992/1104, 1993/608, 1995/642 and 2352, 1996/410, 1346 and 2362, 1997/748 and 2393, 1998/417, 1999/767 and 2840 (W.20), 2001/1397 (W.92) and 3322 (W.275), 2003/975 (W.134) and 2561 (W.250), 2004/871 (W.86) and 1042 (W.124), 2005/1723 (W.135) and 3302 (W.256) and 2006/1389 (W.139).

(b) "the Income Support Regulations" ("*y Rheoliadau Cymhorthdal Incwm*") means the Income Support (General) Regulations 1987(**3**).

Modifications of the Income Support Regulations in Schedule 1 to the principal Regulations

2.—(1) Schedule 1 to the principal Regulations (Modifications of Income Support) is amended as follows.

(2) In Table A, in the modifications of regulation 62 of the Income Support Regulations (calculation of grant income)—

(a) before the first entry, insert—

"In paragraph (1) for the words "subject to paragraphs (2) and (2A)" there were substituted "subject to paragraphs (2), (2A) and (2C)"";

(b) after the entry inserted by paragraph (a) of this regulation, insert—

"After paragraph (2B) there were inserted—

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

(a) any sum in excess of the sum set out as the maintenance grant amount in regulation 33(4)(b) of the Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2006 (maximum amount of loans for new system eligible students with full entitlement)(**4**) which forms part of a maintenance grant paid pursuant to regulation 29 of those Regulations (maintenance grant); and

(b) any sum in excess of the sum set out as the maintenance grant amount in regulation 57(4)(b) of the Education (Student Support) Regulations 2006 (new system students with full entitlement)(**5**) which forms part of a maintenance grant paid pursuant to regulation 48 of those Regulations (qualifying conditions for the maintenance grant);

(c) any sum in excess of the sum set out as the maintenance grant amount in regulation 57(4)(b), (c) or (d), as appropriate, of the Education (Student Support) Regulations (Northern Ireland) 2006 (new system students with full entitlement)(**6**) which forms part of a maintenance grant paid pursuant to regulation 49 of those Regulations (qualifying conditions for the maintenance grant).".";

(c) omit the entries that begin "As if in paragraph (3) from the beginning", "As if in paragraph (3), in sub-paragraph (a)" and "As if in paragraph (3), in sub-paragraph (b)";

(d) after the entry inserted by sub-paragraph (b) of this paragraph, insert—

"For paragraph (3) there were substituted—

"(3) In calculating the weekly amount of the grant to be taken into account as income—

(a) except where sub-paragraph (b) or paragraph (4) applies, the grant shall be apportioned equally between 52 weeks; and

(b) in the case of a grant which is payable in respect of the final academic year of the course or if the course is only of one academic year's duration, in respect of that year the grant shall be apportioned equally between the weeks in the period beginning with the start of the final

(**3**) S.I. 1987/1967.
(**4**) S.I. 2006/126 (W.19).
(**5**) S.I. 2006/119, as amended by S.I. 2006/955 and S.I. 2006/1745.
(**6**) S.R. (NI) 2006 No 312.