WELSH STATUTORY INSTRUMENTS

2004 No. 871 (W.86)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2004

Made - - - -	*23rd March 2004*
Coming into force - -	*5th April 2004*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 83A, 126(4) and 128(1) of the National Health Service Act 1977(**1**) hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) (Amendment) (Wales) Regulations 2004 and will come into force on 5th April 2004.

(2) In these Regulations, "the principal Regulations" ("y prif Reolidau") means the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988(**2**).

(3) These Regulations apply to Wales only.

Amendment of regulation 2 of the principal Regulations

2. In regulation 2 of the principal Regulations (interpretation), after the definition of "relevant income" insert the following definition—

> "" severe disability element" is to be construed in accordance with section 11(6)(d) of the Tax Credits Act 2002(**3**);".

(**1**) 1977 c. 49 ("the 1977 Act"); section 83A was inserted by section 14(1) of the Social Security Act 1988 (c. 7) and amended by paragraph 6 of Schedule 2 to the Health and Medicines Act 1988 (c. 49), by paragraph 18(5) of Schedule 9 to the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act") and by paragraph 40 of Schedule 1 to the Health Authorities Act 1995 (c. 17).
Section 126(4) was amended by section 65(2) of the 1990 Act and by Schdule 4, paragraph 37(6) to the Health Act 1999 (c. 8).
Section 128(1), as amended by section 26(2)(g) and (i) of the 1990 Act, for the definitions of "prescribed" and "regulations".
The functions of the Secretary of State under section 83A, 126(4) and 128(1) of the 1977 Act were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I.1999/672, article 2 and Schedule 1, as amended by the 1999 Act, section 66(5).

(**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 (W275), 2003/975 (W.134) and 2003/2561 (W.250).

(**3**) 2002 c. 21