STATUTORY RULES OF NORTHERN IRELAND

2003 No. 48

HEALTH AND PERSONAL SOCIAL SERVICES

Miscellaneous Charges (Amendments) Regulations (Northern Ireland) 2003

Made - - - -	*3rd February 2003*
Coming into operation	*3rd March 2003*

The Department of Health, Social Services and Public Safety(**1**), in exercise of the powers conferred on it 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(**2**) and with the approval of the Department of Finance and Personnel in so far as they relate to the remission of charges, and in conjunction with the Department of Finance and Personnel in so far as they relate to travelling expenses, and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Miscellaneous Charges (Amendments) Regulations (Northern Ireland) 2003 and shall come into operation on 3rd March 2003.

(2) In these Regulations –

"the Travelling Expenses Regulations" means the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 1989(**3**); and

"the Dental Charges Regulations" means the Dental Charges Regulations (Northern Ireland) 1989(**4**).

Amendment of regulation 2 of the Travelling Expenses Regulations

2. In regulation 2 of the Travelling Expenses Regulations (interpretation), in paragraph (1), in the definition of "appropriate office", for "Department of Health and Social Services" there shall be substituted "Department for Social Development".

(**1**) *See*S.I. 1999/283 (N.I. 1) Article 3(6)
(**2**) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are S.I. 1986/2229 (N.I. 24), 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
(**3**) S.R. 1989 No. 348; relevant amending Regulation is S.R. 2000 No. 339
(**4**) S.R. 1989 No. 111; relevant amending Regulation is S.R. 1997 No. 111

Amendment of Schedule 1 to the Travelling Expenses Regulations

3. In Table A of Part I of Schedule 1 to the Travelling Expenses Regulations (calculation of resources), in the entry in column (2) relating to "regulation 62" –

(a) there shall be inserted after the first paragraph of that entry –

"As if in paragraph (3), in sub-paragraph (a), for "in the period beginning with the benefit week, the first day of which coincides with, or immediately follows, the first day of the period of study and ending with the benefit week, the last of which coincides with, or immediately precedes, the last day of the period of study" there were substituted "in that period".

As if in paragraph (3), in sub-paragraph (b), for "beginning with the benefit week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the benefit week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable" there were substituted "in respect of which it is payable".";
and

(b) there shall be added at the end –

"As if in paragraph (4), for "the weeks in the period beginning with the benefit week, the first day of which immediately follows the last day of the period of experience and ending with the benefit week, the last day of which coincides with, or immediately precedes, the last day of the period of study" there were substituted "the remaining weeks in that period".".

Amendment of regulation 1 of the Dental Charges Regulations

4. In regulation 1(2) of the Dental Charges Regulations (citation, commencement and interpretation) after the definition of "qualifying full-time education" there shall be inserted –

"registered midwife" means a midwife who is registered as a midwife with the Nursing and Midwifery Council under the Nursing and Midwifery Order 2001(**5**);".

New regulation 8A inserted into Dental Charges Regulations

5. In the Dental Charges Regulations, after regulation 8 (remission and repayment), there shall be inserted –

"**Repayments**

8A.—(1) Where a charge has been paid under these Regulations by or on behalf of a person who would be at the time of payment, but for regulation 6, exempt from the requirement to pay that charge, an application for repayment of that charge may be made in accordance with paragraph (2) by or on behalf of that person.

(2) The application for repayment shall be made to the Agency –

(a) within –

(i) three months after payment of the charge, or

(ii) such further period as the Department may for good cause allow; and

(b) on a form provided by or on behalf of the Department for that purpose; and

(c) shall be supported by such evidence as the Department may reasonably require.

(**5**) S.I. 2002/253