4. CHARGES FOR HOSPITAL ACCOMMODATION

The National Health Service (Charges for Hospital Accommodation) (Scotland) Regulations, 1948

1948 No. 1492 (S. 126)

Made - - - -	30*th June*, 1948
Laid before Parliament	1*st July*, 1948
Coming into Operation	5*th July*, 1948

In exercise of the powers conferred on me by sections 4 and 5 of the National Health Service (Scotland) Act, 1947(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the National Health Service (Charges for Hospital Accommodation) (Scotland) Regulations, 1948, and shall come into operation on the fifth day of July, 1948.

2.—(1) In these regulations:—

" the Act " means the National Health Service (Scotland) Act, 1947;

" Regional Board " means the Regional Hospital Board.

(2) The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

PART I

Charges for Accommodation available on Part Payment

3. Subject to the approval of the Regional Board and in accordance with this Part of these regulations every Board of Management shall determine the charges to be made in respect of accommodation in single rooms or small wards in any hospital controlled and managed by them on behalf of the Regional Board where such accommodation is made available under section 4 of the Act.

4. In determining the charges the Board of Management shall ascertain the average daily cost of maintaining a patient in the hospital during the latest period for which accounts of expenditure at that hospital are available.

5. The Board of Management shall also have regard to the nature of the accommodation made available under section 4 of the Act and may vary the charges as between one single room and another or one small ward and another:

Provided that in no case shall the charge determined be at a rate per day of less than one-fifth or more than one-third of the average daily cost ascertained in accordance with regulation 4 of these regulations.

PART II

Charges for Special Accommodation set aside

6. Subject to the approval of the Secretary of State and in accordance with these regulations every Regional Board shall determine the charges to

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(a) 10 & 11 Geo. 6. c. 27. (b) 52 & 53 Vict. c. 63.

be made in respect of special accommodation set aside under section 5 (1) of the Act in any hospital vested in the Secretary of State and the services provided for patients occupying such accommodation.

7. In determining the charges the Regional Board shall ascertain the average daily cost of maintaining a patient in that hospital during the latest period for which accounts of expenditure are available.

8. The Regional Board shall also have regard to the nature of the special accommodation set aside in that hospital and the services provided and may vary the charges accordingly:

Provided that in no case shall the charge determined be at a rate per day of less than the average daily cost increased by 5 per centum, or more than the average daily cost increased by 25 per centum, the average daily cost being ascertained in accordance with regulation 7 of these regulations.

9. In respect of a patient who occupies special accommodation set aside under section 5 (1) of the Act and who is a private patient of a medical practitioner serving on the staff of any hospital vested in the Secretary of State the Regional Board shall deduct an appropriate amount from the charge for that accommodation and the services provided.

PART III

Charges by Medical Practitioners to Private Patients

10. Every Board of Management shall determine in accordance with any scale of charges that may be issued from time to time by the Secretary of State the maximum charges to be made and recovered by a medical practitioner in respect of the treatment of his private patients in pursuance of arrangements made under section 5 (2) of the Act:

Provided that where a Board of Management are satisfied that in the special circumstances of any particular case it is reasonable that the maximum charges aforesaid should not apply, a medical practitioner may make such charge as may be agreed with him by or on behalf of the patient.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh 1.
30th June, 1948.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

The regulations provide for determining the charges to be made in respect of accommodation in single rooms or small wards made available on a part-payment basis, for determining the charges to be made in respect of special accommodation set aside for patients who undertake to pay the whole cost and for determining the maximum charges to be made by medical practitioners who treat their private patients in that special accommodation.