STATUTORY INSTRUMENTS

1990 No. 1661

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service (Travelling Expenses and Remission of Charges) Amendment No. 2 Regulations 1990

Made - - - -	*9th August 1990*
Laid before Parliament	*10th August 1990*
Coming into force	*1st September 1990*

The Secretary of State for Health, in exercise of powers conferred by sections 83A and 128(1) of the National Health Service Act 1977**(a)** and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (Travelling Expenses and Remission of Charges) Amendment No. 2 Regulations 1990 and shall come into force on 1st September 1990 immediately after the Income-Related Benefits Amendment Regulations 1990**(b)**.

Amendment of the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988

2.—(1) The National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988**(c)** shall be amended in accordance with the following provisions of this Regulation.

(2) In regulation 2(1) (interpretation)**(d)**, for the definition of " partner " there shall be substituted the following definition—

" " partner " means where a claimant—

(a) is a member of a married or an unmarried couple, the other member of that couple;

(b) is married polygamously to two or more members of his household, any such member; ".

(3) In Table A in Part I of Schedule 1 (calculation of resources) after the entry " regulations 54 to 60 " there shall be inserted the following—

" regulation 66A	As if in paragraph (2) for the words " and from the weekly amount " there were substituted the words " and, in the case of a person to whom paragraph (2A), (2B) or (2C) applies, from the weekly amount ".
	As if after paragraph (2) there were inserted the following paragraphs—

(a) 1977 c.49; 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); section 128(1) is an interpretation provision and is cited because of the meanings assigned to the words " prescribed " and " regulations ".

(b) S.I. 1990/1657.

(c) S.I. 1988/551; amended by S.I. 1989/517 and 1990/548.

(d) *See* S.I. 1990/548.

"(2A) This paragraph applies to a student whose applicable amount includes any premium specified in Parts II and III of Schedule 2.

(2B) This paragraph applies where the claimant is a student to whom paragraph 7B of Schedule 1 to the Income Support (General) Regulations 1987(a) applies.

(2C) This paragraph applies where the student is a partner of a claimant and the claimant is not also a student.".

As if in paragraph (3) for the reference "(1) and (2)" there were substituted the reference "(1) to (2C)".

(4) In Table B in Part II of Schedule 1 (calculation of requirements), in the entry in column (2) corresponding to the entry "Schedule 2" the words "as if head (c) of sub-paragraphs (1) and (2) were omitted in columns (1) and (2) of that Table;" shall be omitted.

Signed by the authority of the Secretary of State for Health

Virginia Bottomley
Minister of State, Department of Health

9th August 1990

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (Travelling Expenses and Remission of Charges) Regulations 1988. They modify the provisions of the Income Support (General) Regulations 1987 which have effect for the purposes of calculating a person's resources and requirements by confining the £10 disregard, in the calculation of income from student loans, to cases where—

(a) a student is eligible for a premium;

(b) in certain circumstances, a student suffers from deafness; or

(c) a claimant, who is not a student, has a partner who is a student.

They delete the modification which precludes 16 and 17 year olds in receipt of the disability premium from receiving the personal allowance applicable to 18 year olds.

(a) Paragraph 7B was inserted by S.I. 1990/1657.

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