EXPLANATORY MEMORANDUM TO

THE TRAVELLING EXPENSES AND REMISSION OF CHARGES (AMENDMENT No. 2) REGULATIONS (NORTHERN IRELAND) 2010

S.R. 2010 No. 352

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under 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 and is subject to the negative resolution procedure.

2. Purpose

2.1. These Regulations amend the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004 ("the principal Regulations") to update references to student funding regulations and publications.

3. Background

3.1. Under the principal Regulations people in varous low income groups can claim full or partial entitlement to remission of Health Service charges and the payment of Health Service travelling expenses.

3.2. The Department of Health, Social Services and Public Safety has responsibility for the development of policy under these Regulations, with the Department of Social Development having responsibility for assessing a patient's entitlement to help with health costs under a scheme referred to as the Low Income Scheme.

3.3. These Regulations will update references to student funding regulations in Northern Ireland, England and Wales and will update references to the publication which describes additional loans paid under Scottish legislation. Certain amounts of student funding are disregarded in calculating eligibility to remission of Health Service charges and payment of Health Services travel expenses under the principal Regulations.

4. Consultation

4.1. No consultation has taken place as these Regulations do not alter existing policy.

5. Equality Impact

5.1. An assessment was not considered necessary as these Regulations do not alter existing policy.

6. Regulatory Impact

6.1. An assessment was not considered necessary as these Regulations do not alter existing policy.

7. Financial Implications

7.1. May be limited financial implications. These Regulations are made with the approval of and in conjunction with Department of Finance and Personnel.

8. Section 24 of the Northern Ireland Act 1998

8.1. Considered compliant with Section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. Required to maintain parity with England who have made equivalent legislation. By implementing these changes we will ensure that amendments to the principal regulations continue to remain unified and that the population of Northern Ireland is not disadvantaged with regard to assistance with health costs under the Low Income Scheme.

11. Additional Information

11.1. Not applicable