

Explanatory Memorandum to the National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2011 (“the Regulations”)

This Explanatory Memorandum has been prepared by The Department for Health and Social Services and is laid before the National Assembly for Wales in accordance with Standing Order 27.1.

Ministers Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the **National Health Service (Charges to Overseas Visitors) (Amendment) (Wales) Regulations 2011**

Lesley Griffiths

Minister for Health and Social Services, one of the Welsh Ministers.

4 December 2011

(i) Description

The Regulations amend the National Health Service (Charges to Overseas Visitors) Regulations 1989 (“the principal Regulations”).

The Regulations amend the principal Regulations by updating the list of countries or territories with which the UK Government has entered into a reciprocal health care agreement, and introduce exemptions from charges for NHS treatment for members of the Olympic and Paralympic Games Families who are taking part in the London 2012 Olympics and Paralympics.

(ii) Matters of special interest to the Constitutional and Legislative Affairs Committee

None.

(iii) Purpose and intended effect of the legislation

The Regulations amend the principal Regulations as follows:

- to include Jersey in the list of countries with which the UK Government has entered into a reciprocal agreement. This means that a resident of

Jersey will be exempt from NHS charges for treatment the need for which arose during his or her visit; and

- to make provision for members of the Games Family to be exempt from NHS charges for treatment the need for which arose during the Games period which is defined as being from 9 July 2012 to 12 September 2012. The Games Family is defined in Schedule 3 which is inserted into the principal Regulations by regulation 2(5) of the Regulations and includes Olympic and Paralympic athletes and technical officials who officiate at the Olympic and Paralympic Games.

(iv) Implementation

It is intended that these Regulations will come into force on 27 December 2011.

(v) Consultation

There was no requirement to hold consultations because

- The reciprocal healthcare agreement is between the UK Government and Jersey. The Department of Health, as they are required to do, sought the view of the Welsh Government prior to entering into the agreement.
- The agreement to exempt accredited members of the Olympic and Paralympic Games Families was to honour the UK Government commitment given in support of the London 2012 bid.

(vi) Regulatory Impact Assessment

A Regulatory Impact Assessment has not been prepared for this instrument as the Regulations simply amend the principal Regulations (1) to make a routine update to the list of territories with which the UK Government has entered into a reciprocal health care agreement, and (2) to provide for a narrow, time limited extension to the categories of individual who will be entitled to NHS treatment without charge the need for which arose during their visit.

There is no major policy impact on the existing regime that governs when overseas visitors must be charged for NHS treatment.