



STATUTORY INSTRUMENTS

S.I. No. 855 of 2007

HEALTH (REPAYMENT SCHEME) (CHANGE OF APPLICANT BY
REASON OF DEATH OF RELEVANT PERSON) REGULATIONS 2007

(Prn. A7/2393)

HEALTH (REPAYMENT SCHEME) (CHANGE OF APPLICANT BY REASON OF DEATH OF RELEVANT PERSON) REGULATIONS 2007

I, MARY HARNEY, Minister for Health and Children, in exercise of the powers conferred on me by section 20 of the Health (Repayment Scheme) Act 2006 (No. 17 of 2006), hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Health (Repayment Scheme) (Change of Applicant by Reason of Death of Relevant Person) Regulations 2007.

Interpretation

2. In these Regulations—

“application” means an application under section 5(1) of the Act;

“Act” means the Health (Repayment Scheme) Act 2006.

Change of applicant by reason of death of relevant person

3. Where a relevant person to whom an application relates dies before the application is determined under section 6 of the Act, then a connected person who falls within paragraph (f) of the definition of “connected person” in section 2 of the Act may, in his or her capacity as such a connected person and without there being any renewed or subsequent application, be treated for all purposes (including the acceptance of a prescribed repayment or an appeal under section 16 of the Act) as the applicant (or as one of the applicants) in respect of the application.



GIVEN under my Official Seal,
21 December 2007

MARY HARNEY.
Minister for Health and Children.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 8th January, 2008.*

EXPLANATORY MEMORANDUM

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These Regulations are made under *section 20* of the Health (Repayment Scheme) Act 2006 and provide that in the case of an application under the scheme where the relevant person dies prior to the application being determined, a connected person under section (f) of the Act is considered an applicant for the purpose of that application. (See the definition of “connected person” in section 2 of that Act).

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