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STATUTORY INSTRUMENTS

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**2018 No. 141**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The Personal Injuries (NHS Charges)  
(Amounts) Amendment Regulations 2018**

<i>Made</i>	- - - -	<i>6th February 2018</i>
<i>Laid before Parliament</i>		<i>9th February 2018</i>
<i>Coming into force</i>	- -	<i>1st April 2018</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 153(2) and (5) and 195(1) and (2) of the Health and Social Care (Community Health and Standards) Act 2003<sup>(1)</sup>.

In accordance with section 195(3) of that Act, the Secretary of State has consulted the Welsh Ministers<sup>(2)</sup>.

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Personal Injuries (NHS Charges) (Amounts) Amendment Regulations 2018 and come into force on 1st April 2018.

(2) These Regulations apply to England and Wales.

(3) In these Regulations, “principal Regulations” means the Personal Injuries (NHS Charges) (Amounts) Regulations 2015<sup>(3)</sup>.

**Amendment of Schedule 1 to the principal Regulations**

2. In Schedule 1 to the principal Regulations (amount of NHS charges), for the table in that Schedule, substitute the following table—

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- (1) [2003 c.43](#). By virtue of section 167(1), the powers are exercisable in relation to England and Wales by the Secretary of State. See section 168 for the definition of “prescribed”. Amendments to section 195 are not relevant to the power as exercised in these Regulations.
- (2) Functions conferred or imposed on the National Assembly for Wales immediately before the first appointment of a First Minister under section 46 of the Government of Wales Act 2006 ([c.32](#)) (“GOWA”) by an enactment contained in an Act were transferred to the Welsh Ministers by section 162(1) of, and paragraph 30 of Schedule 11 to, GOWA.
- (3) [S.I. 2015/295](#), amended by [S.I. 2016/153](#) and further amended by [S.I. 2017/164](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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“(1)	(2)	(3)	(4)	(5)
	<i>Ambulance services</i>	<i>Out-patient</i>	<i>In-patient</i>	<i>Maximum</i>
	£	£	£	£
29th January 2007	159	505	620	37,100
1st April 2008	165	547	672	40,179
1st April 2009	171	566	695	41,545
1st April 2010	177	585	719	42,999
1st April 2011	181	600	737	44,056
1st April 2012	185	615	755	45,153
1st April 2013	189	627	770	46,046
1st April 2014	192	637	783	46,831
1st April 2015	195	647	796	47,569
1st April 2016	201	665	817	48,849
1st April 2017	205	678	833	49,824
1st April 2018	208	688	846	50,561”

### Revocations

3. The following Regulations are revoked—
- (a) The Personal Injuries (NHS Charges) (Amounts) Amendment Regulations 2016(4); and
  - (b) The Personal Injuries (NHS Charges) (Amounts) Amendment Regulations 2017(5).

Signed by authority of the Secretary of State for Health and Social Care.

6th February 2018

*O’Shaughnessy*  
Parliamentary Under-Secretary of State,  
Department of Health and Social Care

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(4) [S.I. 2016/153](#).  
(5) [S.I. 2017/164](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Personal Injuries (NHS Charges) (Amounts) Regulations 2015 (“the principal Regulations”) which make provision about the charges payable under the scheme for the recovery of NHS charges in cases where an injured person who receives a compensation payment in respect of their injury has received NHS hospital treatment or ambulance services.

Regulation 2 amends the principal Regulations by inserting a substitute table in Schedule 1. This table provides for increased charges in respect of injuries which occur on or after 1st April 2018. Where the injured person is provided with NHS ambulance services, the charge will be £208 (compared with £205 which is the charge in respect of injuries occurring on or after 1st April 2017 but no later than 31st March 2018). Where the injured person receives NHS treatment, but is not admitted to hospital, the charge will be £688 (compared with £678 for injuries incurred the previous year). The daily charge for NHS in-patient treatment will be £846 (compared with £833 for injuries incurred the previous year). The maximum charge in respect of an injury will be £50,561 (compared with £49,824 for injuries incurred the previous year).

Regulation 3 revokes the Personal Injuries (NHS Charges) (Amounts) Amendment Regulations 2016 and the Personal Injuries (NHS Charges) (Amounts) Amendment Regulations 2017 as they are no longer of any continuing effect.

A full impact assessment has not been prepared for these Regulations as a negligible impact on business, charities or voluntary bodies is foreseen.