

NATIONAL HEALTH SERVICE ACT 2006

The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Directions 2016 (Amendment) Directions 2018

The Secretary of State for Health gives the following Directions in exercise of the powers conferred by sections 7(1), 8(1), 272(7) and (8) and 273(1) of the National Health Service Act 2006(a).

Citation, application, commencement and interpretation

1.—(1) These Directions may be cited as the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Directions 2016 (Amendment) Directions 2018.

(2) These Directions apply to the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG)(b).

(3) These Directions apply in relation to England.

(4) These Directions come into force on the day after they are made.

(5) In these Directions, “the 2016 Directions” means the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) Directions 2016(c).

Amendment of the 2016 Directions

2.—(1) The 2016 Directions are amended as follows.

(2) In article 1(4) (interpretation) —

(a) after the definition of “counter fraud”, insert—

“the EU Social Security Coordination Regulations” means Regulation (EC) 883/2004, Regulation (EC) 987/2009, Regulation (EEC) 1408/71, Regulation (EEC) 574/72 and Regulation (EC) 859/2003;”and

(b) after the definition of “security management”, insert—

“sickness benefits in kind” means “benefits in kind” as defined in paragraph (va)(i) of article 1 (interpretation) of Regulation (EC) 883/2004 but does not include the maternity and equivalent paternity rights or the long term care benefits in kind mentioned in that paragraph”.

(3) For article 16 (Functions of the Authority in relation to the European Health Insurance Card), substitute—

“Functions of the Authority in relation to the administration of the reciprocal healthcare system

16 (1) The Authority must, except where paragraph (2) applies, exercise the function of administering any applications, claims or registrations made in relation to sickness

(a) 2006 (c.41). Section 7 was amended by section 12 of the Health and Social Care Act 2012 (“the 2012 Act”); section 8 was amended by paragraph 5 of Schedule 4 to the 2012 Act. The powers exercised by the Secretary of State in giving these Directions are exercisable by the Secretary of State in relation to England only by virtue of section 271(1) of the National Health Service Act 2006.

(b) The NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) was established by the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Establishment and Constitution) Order 2005 (S.I. 2005/2414), as amended by S.I. 2006/632 and 2007/1201.

(c) These Directions were made on 1 June 2016, and are available at [insert relevant link to the Directions on DH website]. [Insert information about any Directions which have amended the 2016 Directions].

benefits in kind under the EU Social Security Coordination Regulations in accordance with instructions given by the Secretary of State for Health and Social Care.

(2) The Authority is not directed to exercise the function in paragraph (1) insofar as that function is carried out by the NHS Commissioning Board pursuant to regulation 3 of the National Health Service and Public Health (Functions and Miscellaneous Provisions) Regulations 2013.”

Signed by authority of the Secretary of State for Health



PAUL MACNAUGHT [Name]

Member of the Senior Civil Service
Department of Health

Date: 20/06/18.