



STATUTORY INSTRUMENTS

S.I. No. 212 of 2008



HEALTH (REPAYMENT SCHEME) (FURTHER FUNCTIONS OF
CONNECTED PERSONS) REGULATIONS 2008

(Prn. A8/0890)

HEALTH (REPAYMENT SCHEME) (FURTHER FUNCTIONS OF
CONNECTED PERSONS) REGULATIONS 2008

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) (Further Functions of Connected Persons) Regulations 2008.

Interpretation

2. In these Regulations—

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

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

Relevant person unable, etc. to continue to act

3. Where a relevant person to whom an application relates becomes unable or unwilling to continue to act in his or her capacity as such relevant person before that application is determined under section 6 of the Act, then a connected person may, in his or her capacity as such 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.

Change of applicant (connected person)

4. Where a connected person who is an applicant in relation to a particular application dies or becomes unable or unwilling to continue to act in his or her capacity as such connected person before that application is determined under section 6 of the Act, then another connected person may, in his or her capacity as such 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.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 27th June, 2008.*



GIVEN under my Official Seal,
25 June 2008

MARY HARNEY.
Minister for Health and Children.

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 for instances where a relevant person or a connected person has made an application under the Act and subsequently becomes unwilling or unable to continue with that application.

The regulations allow a connected person or a further connected person to continue with that application, for the purpose of accepting a prescribed repayment or to appeal a decision under section 16 of the Act, without the requirement for a further application to be made.

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