



**THE SOCIAL SECURITY (MEDICAL FEES) REGULATIONS 1986,
AMENDMENT NO. 9**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 2nd day of March 1992

Present:

THE HON. P. R. BURDON PRESIDING IN COUNCIL

PURSUANT to sections 95, 123, and 132 of the Social Security Act 1964, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Social Security (Medical Fees) Regulations 1986, Amendment No. 9, and shall be read together with and deemed part of the Social Security (Medical Fees) Regulations 1986* (hereinafter referred to as the principal regulations).

(2) These regulations shall be deemed to have come into force on the 1st day of February 1992, and shall apply to medical services provided on or after that date.

*S.R. 1986/290

Amendment No. 1: (*Revoked by S.R. 1989/360*)

Amendment No. 2: (*Revoked by S.R. 1990/178*)

Amendment No. 3: S.R. 1989/360

Amendment No. 4: (*Revoked by S.R. 1990/357*)

Amendment No. 5: S.R. 1990/357

Amendment No. 6: S.R. 1991/54

Amendment No. 7: S.R. 1991/168

Amendment No. 8: S.R. 1991/272

2. Refunds—The principal regulations are hereby amended by inserting, after regulation 5, the following regulation:

“5A. (1) Where a fee is charged by a medical practitioner for general medical services to a person and that person, at that time,—

“(a) Was entitled to hold a Group 1 card or a Group 2 card; or

“(b) Was a dependent child of a person entitled to hold a Group 1 card or a Group 2 card; and

“(c) Was not in possession of, or could not produce, the relevant card because of circumstances reasonably beyond his or her control—

and the medical practitioner would have been entitled to receive from the Department, under these regulations, a payment the amount of which relates to the holding of the appropriate card, the Director-General of Social Welfare may refund to the person who paid the charge the lesser of the amount paid to the medical practitioner or the amount the medical practitioner would have been entitled to receive in respect of that person (less, in respect of a dependent child, any amount the medical practitioner is entitled to receive in respect of a child who is not a dependent child of the holder of an entitlement card).

“(2) The Director-General of Social Welfare shall not make a refund under subclause (1) of this regulation unless—

“(a) The person claiming the refund produces a receipt or other evidence of payment of the fee to the medical practitioner; and

“(b) The Director-General of Social Welfare is satisfied that at the time of the provision of those general medical services—

“(i) The person receiving the general medical services was entitled to hold a Group 1 card or a Group 2 card, or was the dependent child of a person entitled to hold a Group 1 card or a Group 2 card; and

“(ii) The person receiving the general medical services was not in possession of, or could not produce, the relevant card because of circumstances reasonably beyond his or her control; and

“(iii) The receipt shows that the medical practitioner has not made and does not intend to make a claim for any payment under these regulations that would be payable to him or her in respect of the holder of a Group 1 card or a Group 2 card in relation to those general medical services.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which are deemed to have come into force on 1 February 1992, provide for the payment of a refund by the Director-General of Social Welfare to a person who has paid a higher fee to a medical practitioner than the person would normally have paid because of not producing an entitlement card.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 5 March 1992.

These regulations are administered in the Department of Health.