**L.N. 147 of 1989**

## FEES ORDINANCE (CAP. 35)

### Hospital Fees (Foreign Patients) Regulations, 1989

IN EXERCISE of the powers conferred by section 2 of the Fees Ordinance, the Minister for Social Policy, with the concurrence of the Minister of Finance, has made the following regulations:—

Citation and commencement.

**1.** These regulations may be cited as the Hospital Fees (Foreign Patients) Regulations, 1989, and shall be deemed to have come into force on the 3rd March, 1989.

Non-applicability of regulations.

**2.** These regulations shall not apply in respect of —

(a) a person who is or who has been a citizen of Malta; or

(b) the wife or husband, or the widow or widower, or any child under the age of eighteen years, of a person referred to under paragraph (a) of this regulation; or

(c) the wife or husband and the children under the age of eighteen years, dependant of a person who holds a licence of work issued under section 11 of the Immigration Act, 1970 and who is paying the prescribed contribution under the Social Security Act, 1987; or

Act No. IX of 1970.

Act No. X of 1987.

(d) a citizen of a foreign country which has a reciprocal health care agreement in force with Malta, in respect of such care and treatment to which such citizen would be entitled under the terms of such agreement or any understanding or agreed minutes subsequent thereto; or

(e) any other person who enjoys freedom of movement in terms of section 44 of the Constitution of Malta; or

(f) any person who is in Malta in an advisory or consultative capacity to the Government on an invitation of the same or who is otherwise rendering a service to a Government department or to a parastatal body and who is certified as such by the Minister responsible for that department or body, as the case may be, and any dependant of such person; or

(g) any person who is undertaking a course of studies at a school or institution falling within the scope of the Education Act, 1988 or otherwise approved by Government.

Act No. XXIV of 1988.

Fees

**3.** (1) The fee which may be charged for the care and treatment of in-patients or inmates in any hospital or other institution of the Department of Health, shall be Lm60 per day for the first hundred days of stay and Lm3 per day thereafter.

(2) The fee referred to under paragraph (1) of this regulation is not inclusive of any surgical operation or of any extraordinary medical investigation which may be carried out on the patient or inmate.

(3) The fee which may be charged for a surgical operation shall be —

(a) for a minor operation under local anaesthesia .... Lm40

(b) for a minor operation under general anaesthesia Lm75

(c) for an intermediate operation ..... Lm100

(d) for a major operation ..... Lm180

(e) for specialised surgery, namely major neuro-surgical operations, transplantation of organs other than skin and cornea, open heart surgery, major vascular surgery and major plastic surgery Lm500:

Provided that the cost of any prosthesis or implant shall be charged in addition to the relative operation fee.

(4) The fee for any extraordinary medical investigation shall be charged at cost.

(5) (a) Notwithstanding the provisions of the preceding paragraphs of this regulation, the fees to be charged in respect of a patient to whom this paragraph applies, shall be as follows —

(i) for the care and treatment of in-patients or inmates, Lm9 per day for the first hundred days and Lm3 per day thereafter;

(ii) for a surgical operation, fifteen per cent of the fees referred to in paragraph (3) of this regulation:

Provided that the cost of any prosthesis or implant or for any extraordinary investigation shall be charged at cost in addition to the fees referred to in items (i) and (ii) above.

(b) This paragraph shall apply in respect of a patient —

(i) to whom these regulations apply; and

(ii) who is a citizen of a country which has a reciprocal health care agreement with Malta which provides for the care and treatment of temporary visitors of either country when such care and treatment is given outside the period specified under such agreement; and

(iii) who:—

— has a residence permit granted in accordance with section 7 of the Immigration Act, 1970; or

— as a result of the extension of his permit to remain in Malta granted in terms of paragraph (c) of subsection (1) of section 6 of the said Act, has resided in Malta for an aggregate period of two years during the last three years preceding his becoming a patient or inmate.

(6) The Minister responsible for health may also in respect of a patient or inmate who was already in a Government hospital or istitution on the date of coming into force of these regulations reduce as he deems fit such fees if he is satisfied that genuine hardship exists and in such cases may even apply the tariff of fees as was currently in force before the date of the coming into force of these regulations.

(7) The Minister responsible for health may in special cases, or cases of genuine hardship, reduce or waive any fees which are to be charged in accordance with the provisions of these regulations.

Repeals L.N. 21 of 1989.

**4.** The Foreign Patients (Hospital Fees) Regulations, 1989, published on the 3rd March, 1989, are hereby repealed.

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