

information sheet

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Immigration Act 2014: Health

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The Immigration Act paves the way for the introduction of healthcare charges for certain categories of migrants to the United Kingdom. Regulations setting out the detail of the charging regime have not yet been published, but are expected later this year. The intention is that persons affected will be required to pay an annual levy for access to the National Health Service (NHS) for each of the years of their proposed stay, payable at the point of applying for their visa.

The Government also intends to start charging for some NHS services which are currently free; full details have yet to be provided. This Information Sheet provides essential information about the levy and an introduction to the other planned changes. Further information is available from this Government [factsheet](#).

Who is affected by the levy?

Currently, everyone who is lawfully resident in the UK is currently entitled to access the National Health Service free of charge. In future only British citizens and those permanently settled here will enjoy free access. All non-British / EEA nationals who wish to come to the UK to either work, study, or to be with their family members (for more than six months) will be required to pay a levy to access the NHS on the same basis as a British citizen.

What services does the levy cover?

The intention is that henceforth only British citizens and settled persons will be entitled to free National Health services. Other persons lawfully resident will be required to pay a fee so that they may access NHS services on the same basis. There is however power to restrict at a later date the services that those paying the levy can access.

How much is it?

The exact fee has not yet been set. The Government has proposed that the levy will be £200 a year for the majority of migrants and £150 for students; this could be subject to change. The levy will be payable in advance for each year of proposed stay, per person. So, for example, a person coming to work in the UK for three years, bringing a spouse and two children, will have to pay £2,400 at the point of applying for the family's visas, without which their applications will be invalid. The levy will be refunded if the visa is refused.

When is it coming into force?

Current plans are for the levy to be imposed to all new visa applications from Autumn 2014.

Does the levy depend on NHS use?

No, the levy will be a fixed fee, irrespective of planned or actual NHS use.

Will the levy affect migrants already in the UK?

No, the levy will not have retrospective effect. However migrants currently in the UK will have to pay the levy for any future immigration applications that they may make.

What about persons with permanent leave?

The levy will not affect those with indefinite leave to remain, who will continue to be able to access the NHS on the same basis as British citizens.

Is anyone exempt from the charge?

Asylum seekers and those seeking humanitarian protection will not have to pay the charge, which only applies to workers, students and those coming to be with family members (except for those on short-term visit visas, who will not be charged). Persons coming on intra-company transfers, e.g. someone coming to work at the UK branch of their overseas employer, will also be exempt.

Can persons without status pay the levy to get access to the NHS?

No, persons without lawful status in the UK will not be able to pay the levy to gain NHS access. This group are likely to be affected adversely by other planned changes, such as requiring GPs to collect data about the immigration status of their patients. There are concerns that this will deter people from attending their GP to get essential healthcare.

What are the other planned changes?

In addition to the levy, the Government also plans to start charging migrants for some healthcare services, in England at least. Currently, persons without lawful status can access some healthcare services free of charge. The Government plans to start applying charges to most of these services.

What services will be affected?

It is intended to charge for some aspects of primary care, such as dental, optical and pharmaceutical services, but that initial GP and nurse consultations remain free to all. It is unclear at this point exactly which groups will be affected and what the charges will be. The Government has stated that initial GP and nurse consultations will remain free to all, as will treatment for specified infectious diseases which could impact on public health, such as tuberculosis (TB) and sexually transmitted infections.

What about urgent care?

Currently, Accident and Emergency (A&E) care is free to all. However the Government intends to start charging for these services in future – again, in England only at this point. The Government has however stated that urgent care in A&E units will not be withheld because a person is unable to pay; the person will still be treated and then subsequently billed for their care.