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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 291**

**HEALTH AND PERSONAL SOCIAL SERVICES**

**Contact Lens (Specification) and Sight Testing  
(Examination and Prescription) (Amendment)  
Regulations (Northern Ireland) 2005**

*Made* - - - - *13th June 2005*

*Coming into operation* *5th July 2005*

The Department of Health, Social Services and Public Safety(1), in exercise of the powers conferred on it by sections 25(7) and 26 of the Opticians Act 1989(2) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Contact Lens (Specification) and Sight Testing (Examination and Prescription) (Amendment) Regulations (Northern Ireland) 2005 and shall come into operation on 5th July 2005.

(2) The Interpretation Act (Northern Ireland) 1954(3) shall apply to these Regulations as it applies to an Act of the Assembly.

(3) In these Regulations –

“medical practitioner” has the same meaning as in the Health and Personal Social Services (Northern Ireland) Order 1972(4); and

“the Sight Testing Regulations” means the Sight Testing (Examination and Prescription) (No. 2) Regulations (Northern Ireland) 1989(5).

**Duty to provide Contact Lens Specification**

2. Where a medical practitioner issues a specification to an individual to whom he has fitted a contact lens, pursuant to section 25(5) of the Opticians Act 1989(6), it shall contain the following particulars –

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(1) See S.I. 1999/283 (N.I. 1) Article 3(6)

(2) 1989 c. 44; section 25(7)(b) was added by and section 26 was amended by S.I. 2005/848

(3) 1954 c. 33 (N.I.)

(4) S.I. 1972/1265 (N.I. 14)

(5) S.R. 1989 No. 281

(6) Sub-section (5) was added to section 25 by S.I. 2005/848

- (a) the name and address of the individual;
- (b) if the individual has not attained the age of sixteen on the day the specification is issued, his date of birth;
- (c) the name of that practitioner and his registration number in the General Medical Council's register of medical practitioners;
- (d) the address from which that practitioner practices;
- (e) the name of the practice on which premises the fitting was done;
- (f) the date the fitting was completed;
- (g) sufficient details of any lens fitted to enable a person who fits or supplies a contact lens to replicate the lens;
- (h) the date the specification expires; and
- (i) such information of a clinical nature as that practitioner considers to be necessary in the particular case.

### **Amendment of the Sight Testing Regulations**

3.—(1) In regulation 3 of the Sight Testing Regulations (examination) –

- (a) in paragraph (1), for “paragraph (2)” there shall be substituted “paragraphs (2) and (3)”; and
- (b) at the end, there shall be added paragraph (3) –

“(3) The provisions of paragraph (1)(b)(ii) do not apply where the doctor or optician refers the patient to an ophthalmic hospital, in accordance with paragraph 10(2) of Schedule 1 to the General Ophthalmic Services Regulations (Northern Ireland) 1986.”.

(2) In regulation 4 of the Sight Testing Regulations (exceptions to the duty to issue a prescription or statement) –

- (a) at the end of paragraph (b), delete “or”; and
- (b) after paragraph (c), insert –
  - “; or
  - (d) the patient is being fitted with contact lenses as part of the medical or clinical treatment provided for an eye condition.”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 13th June 2005.

L.S.

*Dr. J. F. Livingstone*  
A senior officer of the  
Department of Health, Social Services and  
Public Safety

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations set out the particulars which must be given to a patient by a medical practitioner when he issues a specification to a patient to whom he has fitted a contact lens.

Regulation 2 amends the Sight Testing (Examination and Prescription) (No. 2) Regulations (Northern Ireland) 1989 “(the Sight Testing Regulations)” so that the duty to issue a written statement as to whether the patient is being referred to a medical practitioner, does not arise in a case to which paragraph 10(2) of Schedule 1 to the General Ophthalmic Services Regulations (Northern Ireland) 1986 applies. This regulation also extends the exceptions to the duty to issue a prescription or statement in the Sight Testing Regulations to include where a patient is being fitted with contact lenses.