
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 168

The National Health Service (Optical Charges and Payments) (Scotland) Amendment (No. 2) Regulations 2004

Amendment of the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998

2.—(1) The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998(1) are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) in the definition of “NHS sight test fee”(2)—

(i) in sub paragraph (a) for “£46.16 substitute “£49.19”; and

(ii) in sub paragraph (b) for “£16.72” substitute “£17.82”;

(b) in the definition of “responsible authority”(3), omit “an NHS trust,” from paragraphs (b) to (g) and substitute “a Health Board”; and

(c) in the definition of “voucher”(4) in paragraph (b) omit—

(i) in sub-paragraph (i) “an NHS trust” and substitute “a Health Board”; and

(ii) in sub-paragraph (ii)—

(aa) “an NHS trust” and substitute “a Health Board”; and

(bb) “NHS trust” and substitute “Health Board”.

(3) In regulation 2(2) (charges for glasses and contact lenses)(5) omit “NHS trust” and substitute “Health Board”.

(4) In regulation 8(3)(e) (eligibility – supply of optical appliances) after “requirements as so calculated” insert “or exceeds his requirements as so calculated by fifty per cent or less of the amount of the charge specified in regulation 3(1)(b) (supply of drugs and appliances by chemists) of the National Health Service (Charges for Drugs and Appliances) (Scotland) Regulations 2001(6).

(5) In regulation 8(5) (eligibility – supply of optical appliances)(7) omit—

(a) “an NHS trust” and substitute “a Health Board”; and

(b) “NHS trust” and substitute “Health Board”.

(6) In regulation 10 (issue of vouchers by NHS trusts in connection with the hospital eye service)(8) omit—

(a) “NHS trusts” in the heading and substitute “Health Boards”; and

(1) S.I.1998/642; amended by S.I. 1999/748 and S.S.I. 1999/64, 2000/45 and 395, 2001/88, 86 and 224, 2003/218 and 431 and 2004/97.

(2) The definition of “NHS sight test fee” was amended by S.I. 1999/748, regulation 3(a)(ii) and S.S.I. 2000/45, regulation 2, 2000/395, regulation 2, 2001/88, regulation 2, 2002/17, regulation 2(2) and 2002/224, regulation 2(2).

(3) The definition of “responsible authority” was substituted by S.S.I. 1999/64, regulation 3(2)(e).

(4) The definition of “voucher” was substituted by S.S.I. 1999/64, regulation 3(2)(f).

(5) Regulation 2(2) was amended by S.S.I. 1999/64, regulation 4.

(6) S.S.I. 2001/430; amended by S.S.I. 2002/100, 2003/130 and 2004/66.

(7) Regulation 8(5) was amended by S.S.I. 1999/64, regulation 5(g).

(8) Regulation 10 was amended by S.S.I. 1999/64, regulation 6.

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- (b) “NHS trust” in paragraphs (1) and (2) and substitute “Health Board”.
- (7) In regulation 11 (issue of replacement voucher by the Agency or NHS trust)(9) omit–
 - (a) “NHS trust” in the heading and substitute “Health Boards”; and
 - (b) “NHS trust” and substitute “a Health Board”.
- (8) In Schedule 1 (voucher letter codes and face values - supply and replacement)(10), in column 1 in relation to each of the letter codes I and J, omit “an NHS trust” and substitute “a Health Board”.
- (9) In Schedule 3, paragraph 1(1)(g) (prisms, tints, photochromic lenses, small glasses and special frames and complex appliances)(11) omit “an NHS trust” where it twice appears and substitute “a Health Board”.

(9) Regulation 11 was substituted by S.I. 1999/748, regulation 6 and amended by S.S.I. 1999/64, regulation 8, 2000/45, regulation 5, 2001/88, regulation 9, 2002/86, regulation 2(4) and 2003/218, regulation 3(6).

(10) Schedule 1 was substituted by S.I. 1999/748 and amended by S.S.I. 1999/64, regulation 8, 2000/45, regulation 5, 2001/88, regulation 9, 2002/86, regulation 2(4), 2003/218, regulation 3(6) and 2004/97, regulation 2(4).

(11) Schedule 3 was amended by S.I. 1999/748, regulation 12(3), S.S.I. 1999/64, regulation 9, 2000/45, regulation 5(3), 2001/88, regulation 9(3), 2003/218, regulation 3(8) and 2004/97, regulation 2(6).