

HEALTH ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 4 CHAPTER 2

Ophthalmic Services

Section 43 General ophthalmic services: transitional

219. *Section 43* makes transitional provision.
220. *Subsections (1), (2) and (3)* require the Secretary of State to make transitional provisions in respect of persons who, immediately before coming into force of the new provisions about general ophthalmic services, were providing general ophthalmic services in England under section 38 of the 1977 Act, provide that regulations made under this section may provide that a Primary Care Trust must, under specified circumstances, and if the person wishes, enter into a general ophthalmic services contact with that person and allow the regulations to make provision as to the terms of the contract.
221. *Subsection (4)* allows regulations made under this section to make provision for the resolution of disputes in relation to a contract, entered into or proposed, and for the determination of disputes by the Secretary of State or someone appointed by the Secretary of State.
222. *Subsection (5)* allows regulations made under this section to make provision in respect of a period beginning before the coming into force of that provision or of section 38 of the Act. It is intended to exercise this power so that payments can be made on the coming into force of sections 38 or 43 to maintain the provision of ophthalmic services.