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 STATUTORY INSTRUMENTS
 

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**1986 No. 1192 (S. 99)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Payments for Optical Appliances)  
(Scotland) Amendment Regulations 1986**

<i>Made</i> - - - -	10th July 1986
<i>Laid before Parliament</i>	11th July 1986
<i>Coming into Operation</i>	1st August 1986

The Secretary of State, in exercise of the powers conferred on him by section 70(1) of, and paragraphs 2(1) and (2) and 2A of Schedule 11 to, the National Health Service (Scotland) Act 1978(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:-

*Citation and commencement*

1.—(1) These regulations may be cited as the National Health Service (Payments for Optical Appliances) (Scotland) Amendment Regulations 1986 and shall come into operation on 1st August 1986.

(2) In these regulations “the principal regulations” means the National Health Service (Payments for Optical Appliances) (Scotland) Regulations 1986(b).

*Amendments to the principal regulations*

2. For regulation 2 of the principal regulations there shall be substituted the following regulation:-

*“Charges for glasses and contact lenses supplied by the hospital eye service*

2.—(1) Contact lenses shall, in addition to glasses, be optical appliances for which a charge in accordance with section 70(1) of the Act is authorised.

(2) A charge of such sum as may be determined by or in accordance with directions given by the Secretary of State shall be made and recovered in accordance with paragraph (3) in respect of the supply, as part of the provision under Part III of the Act of ophthalmic services (other than general ophthalmic services) at any hospital, of glasses or contact lenses.

(3) Where a charge is payable by virtue of paragraph (2) the Health Board, or other person on its behalf, that supplies or is to supply the glasses or contact lenses may -

(a) on arranging to supply the glasses or contact lenses make the charge; and

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(a) 1978 c.29; paragraph 2(1) and (2) of Schedule 11 was amended by Schedule 1 Part II paragraph 5 and Schedule 8 respectively, to the Health and Social Security Act 1984 (c.48); paragraph 2A of Schedule 11 was inserted by Schedule 1 Part II paragraph 7 to that Act of 1984.

(b) S.I. 1986/966.

(b) on supplying the glasses or contact lenses or having them available for supply, recover the charge from the patient (if it has not previously been paid).”.

3. For regulation 9 of the principal regulations there shall be substituted the following regulation:-

*“Redemption value of voucher*

9.—(1) The redemption value of a voucher shall, subject to paragraphs (2) to (4), be the lesser of -

(a)(i) where the optical appliance was supplied otherwise than under the Act, the full cost which would have been payable by the patient for the supply but for these regulations, or

(ii) where the optical appliance was supplied under the Act, the amount of the charge under section 70(1) of the Act which would have been payable by the patient for the supply but for these regulations; and

(b) the face value of the voucher.

(2) In relation to payments to be made because of a person’s eligibility by virtue of regulation 3(3)(c), the amounts taken for the purposes of paragraph (1)(a) and (b) shall, subject to paragraph (3), be reduced by the patient’s contribution.

(3) If a reduction made under paragraph (2) in the case of a patient for whom a prescription was issued for a complex appliance would render the redemption value of the voucher less than the minimum complex appliance payment, that value shall be the minimum complex appliance payment.

(4) Where the patient was an eligible person only because a prescription was issued for him for a complex appliance, the redemption value of a voucher shall be the minimum complex appliance payment, except that where -

(a) the appliance was supplied under the Act; and

(b) in accordance with directions given pursuant to regulation 2, the amount of a charge made for the supply under section 70(1) of the Act would, but for any maximum charge specified in the directions, have exceeded by any amount the charge actually made,

the redemption value shall be reduced by the amount of the excess.”.

4. In Schedule 1 to the principal regulations (voucher letter codes and values) to columns 1, 2 and 3 there shall be added at the end the entries set out in columns 1, 2 and 3 respectively of the Schedule to these regulations.

5. For paragraph 4 of Schedule 2 to the principal regulations (patient’s contribution) there shall be substituted the following paragraph:-

“4. Where the patient’s resources exceed his requirements, the patient’s contribution is an amount equal to three times the excess.”.

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NATIONAL HEALTH SERVICE,  
SCOTLAND

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New St. Andrew's House,  
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10th July 1986.

## SCHEDULE

Regulation 4

ADDITION TO SCHEDULE 1 TO THE NATIONAL HEALTH SERVICE  
(PAYMENTS FOR OPTICAL APPLIANCES) (SCOTLAND)  
REGULATIONS 1986

Column 1 <i>Type of optical appliance</i>	Column 2 <i>Letter code</i>	Column 3 <i>Face value of voucher</i>
8. Contact lenses for which a prescription is given in consequence of a testing of sight by a Health Board as part of the provision, under Part III of the Act, of ophthalmic services (other than general ophthalmic services) at any hospital.	H	£25.00 per lens

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These regulations amend the National Health Service (Payments for Optical Appliances) (Scotland) Regulations 1986 ("the principal regulations") which provide for payments to be made (by means of a voucher system) in respect of the cost incurred by certain categories of persons for the supply of optical appliances prescribed following a testing of sight under the National Health Service and for the payment of charges for the supply by, or on behalf of, Health Boards as part of the hospital eye service of optical appliances under the National Health Service (Scotland) Act 1978 ("the 1978 Act").

Regulation 2 enables a charge to be made for contact lenses supplied by the hospital eye service under the 1978 Act as well as for glasses so supplied.

Regulation 3 replaces the provision in the principal regulations under which the value to a patient of a voucher issued to him under those regulations is calculated. There are two changes of substance, both of which relate to optical appliances supplied under the 1978 Act. Firstly, it is provided that a voucher's value may not exceed the charge made under section 70 of the 1978 Act for the supply (regardless of any charge which might be made under any other provision of that Act). Secondly, special provision is made for cases in which eligibility for a voucher depends solely upon the optical appliance prescribed being a complex appliance as defined in the principal regulations.

Regulation 4 and the Schedule make provision for the issue of a voucher in respect of contact lenses for which a prescription is issued following a sight test under the hospital eye service by a Health Board.

Regulation 5 corrects an unintentional transposition of terms in paragraph 4 of Schedule 2 to the principal regulations.



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