

1988 No. 1950 (S.185)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (Payments for Optical Appliances) (Scotland) Amendment (No.4) Regulations 1988

Made *9th November 1988*

Laid before Parliament *10th November 1988*

Coming into force *1st December 1988*

The Secretary of State, in exercise of the powers conferred on him by sections 26 and 108(1) of, and paragraph 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, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (Payments for Optical Appliances) (Scotland) Amendment (No.4) Regulations 1988 and shall come into force on 1st December 1988.

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

Amendment of the principal Regulations

2.—(1) In regulation 1(2) of the principal Regulations (interpretation) after the definition of “responsible Board” there shall be inserted the following definition:—

““small glasses” means glasses the lens apertures of which have datum centres not more than 56 millimetres apart; and for this purpose “datum centre” is to be construed in accordance with Part One of British Standard 3521: 1962 (Glossary of Terms relating to Ophthalmic Lenses and Spectacle Frames) published by the British Standards Institution, as effective on 9th November 1988;”.

(2) In regulation 7 of the principal Regulations (payments to suppliers)—

(a) at the end of paragraph (2)(c)(ii)(c) the word “and” shall be revoked;

(b) after paragraph (2)(c)(iii) there shall be added the following head:—

“(iv) where the claim relates to a voucher the value of which is increased in accordance with paragraph 1(e) of the Notes in Schedule 1, certified that the glasses supplied were small glasses.”.

(3) In the Notes in Schedule 1 to the principal Regulations (prisms, tints, photochromic lenses, special glasses and complex appliances)(d)—

(a) 1978 c.29; section 26 was amended by the Health and Social Security Act 1984 (c.48) (“the 1984 Act”), section 1(5) and Schedule 1, Part II, paragraphs 1 to 4; Schedule 11, paragraph 2A was inserted by the 1984 Act, Schedule 1, Part II, paragraph 7; see section 108(1) for definitions of “prescribed” and “regulations”.

(b) S.I. 1986/966, amended by S.I. 1986/1192, 1988/463, 545 and 1425.

(c) Regulation 7(2)(c) was amended by S.I. 1988/545.

(d) The Notes in Schedule 1 were substituted by S.I. 1988/463.

(a) for paragraph 1(e)(a) there shall be substituted the following:-

“(e) by £31.50 in respect of small glasses;”;

(b) after paragraph 2 there shall be added the following-

“2A. Where the face value of a voucher is increased in accordance with paragraph 1(g) of these Notes, it may not be further increased in accordance with paragraph 1(e) of these Notes.”.

Saving for existing vouchers

3. The amendments made by regulation 2 of these Regulations shall not have effect in relation to any voucher issued before these Regulations come into force, or in relation to any claim for payment in respect of any such voucher.

St. Andrew's House, Edinburgh
9th November 1988

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish Office

(a) Schedule 1, paragraph 1(e) was inserted by S.I. 1988/463 and amended by S.I. 1988/1425.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Payments for Optical Appliances) (Scotland) Regulations 1986 which provide for payments to be made, by means of a voucher system, in respect of the cost of optical appliances supplied to certain categories of persons following a sight test under the National Health Service in Scotland.

The amendments made by regulation 2 concern the inclusion in the face value of the voucher of a supplement for the cost of unusually small glasses, typically for very young children. The amendments alter the type of glasses which qualify for the supplement from glasses prescribed for a person whose pupils are not more than 60 millimetres apart to glasses with lens apertures the datum centres of which are not more than 56 millimetres apart ("small glasses").

Regulation 2(2) makes it a condition of payment by the responsible Board that where the supplier's claim for payment includes the supplement for small glasses, the supplier must certify that small glasses were supplied.

Regulation 3 provides that the amendments do not affect vouchers issued before the coming into force of these Regulations.

British Standard 3521: 1962, referred to in regulation 2(1), may be obtained from any of the sales outlets operated by the British Standards Institution or direct by post from the Institution at Linford Wood, Milton Keynes, MK14 6LE.