
STATUTORY INSTRUMENTS

1989 No. 392

The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1989

PART VI

MISCELLANEOUS

Amounts wrongly paid

21.—(1) Where a person who is not an eligible person declares on a voucher that he is an eligible person and in consequence the responsible Board makes a payment under these Regulations, the person who makes the declaration shall repay the amount of that payment to the responsible Board.

(2) Where a supplier makes a claim for payment to the responsible Board, representing that the conditions specified in regulation 5(2), 13(2) or 19(2) are fulfilled, but those conditions are not fulfilled and the Board makes a payment to the supplier under these Regulations, it may recover the amount of that payment from the supplier.

Signatures

22.—(1) A signature required by these Regulations may be given—

- (a) on behalf of a child by either parent or, in the absence of both parents, the guardian or other adult person who has the care of the child;
- (b) on behalf of any other person who is incapable of giving the signature, by—
 - (i) an adult relative,
 - (ii) any other adult who has the care of that person, or
 - (iii) any other adult competent so to sign in accordance with any rule of law;
- (c) on behalf of any person under 18 years of age—
 - (i) in the care of a local authority under Part II of the Social Work (Scotland) Act 1968⁽¹⁾ or under the provisions of that Part as applied by section 44(5) of that Act⁽²⁾, by a person duly authorised by that authority;
 - (ii) in the care of a voluntary organisation, by that organisation or a person duly authorised by them.

Revocations

23. The Regulations specified in column (1) of Schedule 4 are revoked.

⁽¹⁾ 1968 c. 49

⁽²⁾ Section 44(5) was amended by The Children Act 1975 (c. 72). Schedule 3. paragraph 56 and by The Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73). section 28.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
