
STATUTORY INSTRUMENTS

1990 No. 509 (S.67)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (Optical Charges and Payments) (Scotland) Amendment Regulations 1990

<i>Made</i>	- - - -	<i>7th March 1990</i>
<i>Laid before Parliament</i>		<i>9th March 1990</i>
<i>Coming into force</i>	- -	<i>1st April 1990</i>

The Secretary of State, in exercise of powers conferred on him by sections 26, 70(1), 73(a), 74(a), 105 and 108(1) of, and paragraphs 2 and 2A of Schedule 11 to, the National Health Service (Scotland) Act 1978(1), 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 (Optical Charges and Payments) (Scotland) Amendment Regulations 1990 and shall come into force on 1st April 1990.

(2) In these Regulations, “the principal Regulations” means the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1989(2).

Amendment of the principal Regulations

2. In regulation 1 (interpretation) of the principal Regulations, there shall be inserted after paragraph (4) the following:—

“(5) In these Regulations, any reference to a provision of the Social Security Act 1986(3) or to an instrument made under that Act is to be construed as a reference to that provision or, as the case may be, to that instrument as it has effect on the making of these Regulations and as amended subsequently.”.

(1) 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 and Schedule 8 and by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 13(4); section 70(1) was amended by the 1988 Act, Schedule 3; section 105, which contains provisions relevant to the making of Regulations, was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made; paragraph 2(1) of Schedule 11 was substituted by the 1988 Act, Schedule 2, paragraph 15(1); and paragraph 2A of Schedule 11 was inserted by the 1984 Act, Schedule 1, Part II, paragraph 7 and amended by the 1988 Act, section 13(2) and (5).

(2) S.I. 1989/392.

(3) 1986 c. 50.

3. In regulation 20 of the principal Regulations (redemption value of voucher—replacement or repair)—

- (a) in paragraph (1)(b), for “£26.50”, there shall be substituted “£28.85”;
- (b) in paragraph (3)(i), for “£7.40”, there shall be substituted “£7.70”; and
- (c) in paragraph (3)(ii), for “£33.00”, there shall be substituted “£34.50”.

4.—(1) In Schedule 1 to the principal Regulations (voucher letter codes and face values) in column 1 (type of optical appliance)—

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

“1. Glasses with single vision lenses—

- (a) of a spherical power (plus or minus) not exceeding 6 dioptries; or
- (b) of a spherical power (plus or minus) not exceeding 4 dioptries with a cylindrical power (plus or minus) not exceeding 2 dioptries.”;

(b) for paragraph 3(c) there shall be substituted the following:—

“(c) of a spherical power (plus or minus) not exceeding 10 dioptries with a cylindrical power (plus or minus) exceeding 6 dioptries; or”;

(c) for paragraph 4 there shall be substituted the following:—

“4. Glasses with bifocal lenses—

- (a) of a spherical power (plus or minus) not exceeding 6 dioptries; or
- (b) of a spherical power (plus or minus) not exceeding 4 dioptries with a cylindrical power (plus or minus) not exceeding 2 dioptries.”;

(d) for paragraph 6(c) there shall be substituted the following:—

“(c) of a spherical power (plus or minus) not exceeding 10 dioptries with a cylindrical power (plus or minus) exceeding 6 dioptries;”.

(2) In Schedule 1 to the principal Regulations in column 3 (face value of voucher), for each amount specified in column 1 of the Table below, there shall be substituted the amount specified in relation to it in column 2 of that Table.

TABLE

Column 1 Old amount	Column 2 New amount
£17.00	£18.00
£28.00	£28.75
£46.00	£47.00
£32.75	£34.75
£58.00	£59.75
£98.00 (in both places where it appears)	£100.00
£26.50	£28.85

(3) For Schedule 2 to the principal Regulations (voucher values - repair) there shall be substituted the Schedule 2 set out in the Schedule to these Regulations.

(4) In Schedule 3 to the principal Regulations (prisms, tints, photochromic lenses, small glasses and special frames and complex appliances)—

- (a) in paragraph 1(1)(a) (single vision lens with prism), for “£3.75”, there shall be substituted “£4.00”;
- (b) in paragraph 1(1)(b) (other lens with prism), for “£4.75”, there shall be substituted “£5.00”;
- (c) in paragraph 1(1)(c) (single vision tinted lens), for “£1.90”, there shall be substituted “£2.00”;
- (d) in paragraph 1(1)(d) (other tinted lens), for “£2.40”, there shall be substituted “£2.50”;
- (e) for paragraph 1(1)(e) (small glasses) there shall be substituted the following:—
 - “(e) in respect of small glasses: by £34.50 in the case of supply or replacement of the glasses or repair of the whole frame; by £30.70 in the case of repair or replacement of the front of the frame; and by £16.60 in the case of repair or replacement of a side of a frame;”;
- (f) in paragraph 1(1)(f) (photochromic lenses), for “£1.90”, there shall be substituted “£2.00” and for “£2.40” there shall be substituted “£2.50”;
- (g) in paragraph 1(1)(g) (specially manufactured frames), for “£33.00”, there shall be substituted “£34.50”; for “£29.35” there shall be substituted “£30.70”; and for “£15.85” there shall be substituted “£16.60”;
- (h) in paragraph 2(a) (minimum complex appliance payment—single vision lenses), for “£3.25”, there shall be substituted “£3.50”; and
- (i) in paragraph 2(b) (minimum complex appliance payment—other cases), for “£18.00”, there shall be substituted “£18.75”.

Application of Regulations

5. The amendments made by regulations 3 and 4(2), (3) and (4) of, and the Schedule to, these Regulations apply only in relation to a voucher—

- (a) accepted or used on or after 1st April 1990 pursuant to regulation 12 or regulation 18 of the principal Regulations; or
- (b) sent to a Health Board pursuant to regulation 14(2)(c) of the principal Regulations in respect of cost incurred on or after that date.

St. Andrew’s House,
Edinburgh
7th March 1990

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

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SCHEDULE

Regulation 4(3)

SCHEDULE 2 TO THE PRINCIPAL REGULATIONS
AS SUBSTITUTED BY THESE REGULATIONS

“SCHEDULE 2

Regulation 20(2) and (3)

VOUCHER VALUES – REPAIR

Column 1 Nature of repair to appliance	Column 2 Letter Codes – Values					
	A £	B £	C £	D £	E £	F and G £
Repair or replacement of one lens	5.15	10.55	19.65	13.55	26.05	46.15
Repair or replacement of two lenses	10.30	21.05	39.30	27.05	52.05	92.30
Repair or replacement of—						
the front of a frame	6.90	6.90	6.90	6.90	6.90	6.90
a side of a frame	3.80	3.80	3.80	3.80	3.80	3.80
the whole frame	7.70	7.70	7.70	7.70	7.70	7.70
Maximum	18.00	28.75	47.00	34.75	59.75	100.00”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1989 (“the principal Regulations”) which provide for payments to be made, by means of a voucher system, in respect of costs incurred by certain categories of persons in connection with the supply and replacement and repair of optical appliances.

Regulation 4(1)(a) and (c) alters the specification of appliances in respect of which vouchers may be used by redefining the upper limits of the spherical powers and cylindrical powers of appliances to which vouchers with letter codes A and D apply. Regulation 4(1)(b) and

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- (d) clarifies the specification of appliances to which vouchers with letter codes C and F apply. These Regulations also amend Schedules 1 and 3 to the principal Regulations to increase by an average of 5 per cent the value of vouchers issued in respect of the cost of the supply and replacement of optical appliances (regulation 4(2)) and of the repair and replacement of appliances (regulation 4(3) and the Schedule). Regulation 3 makes consequential amendments to regulation 20 of the principal Regulations (redemption value of voucher—replacement of repair). Regulation 4(4) increases the additional values for vouchers in respect of prisms, tints, photochromic lenses and special categories of appliances.