
STATUTORY INSTRUMENTS

1998 No. 642

The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998

PART VII

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 authority makes a payment under these Regulations, the person who makes the declaration shall repay the amount of that payment to the responsible authority.

(2) Where a supplier makes a claim for payment to the responsible authority, representing that the conditions specified in regulation 5(2), 13(2) or 18(2) are fulfilled, but those conditions are not fulfilled and the authority makes a payment to the supplier under these Regulations, it may recover the amount of that payment from the supplier.

Commencement Information

II Reg. 21 in force at 1.4.1998, see [reg. 1\(1\)](#)

Signatures and claims for payments

22. A signature required by these Regulations shall be given, and a claim for payment pursuant to regulation 6 or 20 shall be made—

- (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—
 - [^{F1}(i) who is looked after by a local authority within the meaning of section 17(6) of the Children (Scotland) Act 1995 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.

Status: Point in time view as at 01/04/1999.

Changes to legislation: There are currently no known outstanding effects for the The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998, PART VII. (See end of Document for details)

Textual Amendments

- F1** Reg. 22(c)(i) substituted (1.4.1999) by [The National Health Service \(Optical Charges and Payments\) \(Scotland\) Amendment Regulations 1999 \(S.I. 1999/748\)](#), regs. 1, **11**

Commencement Information

- I2** Reg. 22 in force at 1.4.1998, see [reg. 1\(1\)](#)

Application of these Regulations

23. The amounts specified in these Regulations apply only in relation to a voucher accepted or used pursuant to regulation 12 or regulation 17 on or after 1st April 1998.

Commencement Information

- I3** Reg. 23 in force at 1.4.1998, see [reg. 1\(1\)](#)

Revocations

24. The Regulations specified in column (1) of Schedule 4 are revoked to the extent specified in column (3) of that Schedule.

Commencement Information

- I4** Reg. 24 in force at 1.4.1998, see [reg. 1\(1\)](#)

Status:

Point in time view as at 01/04/1999.

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998, PART VII.