
STATUTORY INSTRUMENTS

2023 No. 244

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Optical Charges and Payments) (Amendment) Regulations 2023

<i>Made</i>	- - - -	<i>2nd March 2023</i>
<i>Laid before Parliament</i>		<i>3rd March 2023</i>
<i>Coming into force</i>	- -	<i>1st April 2023</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 179(1), 180 and 272(7) and (8) of the National Health Service Act 2006(1).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) (Amendment) Regulations 2023.

(2) These Regulations come into force on 1st April 2023.

(3) These Regulations extend to England and Wales.

Amendment of the National Health Service (Optical Charges and Payments) Regulations 2013

2.—(1) The National Health Service (Optical Charges and Payments) Regulations 2013(2) are amended as follows.

(2) In regulation 20 (redemption value of voucher for replacement or repair)—

(a) in paragraph (1)(b), for “£58.15” substitute “£60.75”; and

(b) in paragraph (3), for “£15.10” substitute “£15.80”.

(1) 2006 c. 41. Section 180 was amended by section 34 of, and Schedule 6 to, the Health Act 2009 (c. 21), section 205 of, and paragraph 96 of Schedule 4 to, the Health and Social Care Act 2012 (c. 7), and paragraph 1(1) of Schedule 1 to the Health and Care Act 2022 (c. 31). “Prescribed” and “regulations” are defined in section 275 of the National Health Service Act 2006. By virtue of section 271(1) of the National Health Service Act 2006, the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(2) S.I. 2013/461. The relevant amending instruments are S.I. 2016/325 and S.I. 2022/221. Under the Health and Care Act 2022, the NHS Commissioning Board was renamed NHS England (section 1). As a consequence of that change, under paragraph 1(3) of Schedule 1 to the Health and Care Act 2022, the references to the NHS Commissioning Board in S.I. 2013/261 (defined as “the Board” in regulation 1(1)) are to be read, in relation to any time on or after 1st July 2022, as references to NHS England.

(3) In Schedule 1 (voucher letter codes and face values—supply and replacement), in column (3) of the table (face value of voucher)—

- (a) for “£39.90” substitute “£41.70”;
- (b) for “£60.50” substitute “£63.20”;
- (c) for “£88.60” substitute “£92.60”;
- (d) for “£199.90” substitute “£208.90”;
- (e) for “£68.80” substitute “£71.90”;
- (f) for “£87.30” substitute “£91.20”;
- (g) for “£113.40” substitute “£118.50”;
- (h) for “£219.80” substitute “£229.70”;
- (i) for “£204.80” substitute “£214.00”; and
- (j) for “£58.15” substitute “£60.75”.

(4) In Schedule 2 (prisms, tints, photochromic lenses, small and special glasses and complex appliances)—

- (a) in paragraph 1(1)—
 - (i) in paragraph (a), for “£12.85” substitute “£13.45”;
 - (ii) in paragraph (b), for “£15.70” substitute “£16.40”;
 - (iii) in paragraph (c), for “£4.50” substitute “£4.70”;
 - (iv) in paragraph (d), for “£5.00” substitute “£5.20”;
 - (v) in paragraph (e)—
 - (aa) for “£65.50” substitute “£68.45”;
 - (bb) for “£58.15” substitute “£60.75”;
 - (cc) for “£31.40” substitute “£32.80”;
 - (vi) in paragraph (f)—
 - (aa) in sub-paragraph (i), for “£65.50” substitute “£68.45”;
 - (bb) in sub-paragraph (ii), for “£58.15” substitute “£60.75”;
 - (cc) in sub-paragraph (iii), for “£31.40” substitute “£32.80”;
- (b) in paragraph 2—
 - (i) in sub-paragraph (a), for “£14.90” substitute “£15.55”; and
 - (ii) in sub-paragraph (b), for “£38.15” substitute “£39.90”.

(5) In Schedule 3 (voucher values—repair), for the table substitute—

“(1)”	“(2)”								
<i>Nature of repair</i>	<i>Letter code – value of voucher</i>								
	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>	<i>I</i>
	£	£	£	£	£	£	£	£	£
Repair or replacement	12.95	23.70	38.40	96.55	28.05	37.70	51.35	106.95	99.10

“(1)”	“(2)”								
Nature of repair	Letter code – value of voucher								
	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F</i>	<i>G</i>	<i>H</i>	<i>I</i>
	£	£	£	£	£	£	£	£	£
of one lens									
Repair or replacement of two lenses	25.90	47.40	76.80	193.10	56.10	75.40	102.70	213.90	198.20
Repair or replacement of the front of a frame	13.25	13.25	13.25	13.25	13.25	13.25	13.25	13.25	13.25
Repair or replacement of the side of a frame	7.85	7.85	7.85	7.85	7.85	7.85	7.85	7.85	7.85
Repair or replacement of the whole of a frame	15.80	15.80	15.80	15.80	15.80	15.80	15.80	15.80	15.80”

Saving provision

3. Where, before 1st April 2023, a voucher is accepted or presented by virtue of regulation 12 (use of vouchers for supply of optical appliances) or regulation 18 (use of vouchers for replacement or repair) of the National Health Service (Optical Charges and Payments) Regulations 2013, Schedules 1, 2 or 3 of those Regulations have effect in relation to that voucher as if these Regulations had not come into force.

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

Signed by the authority of the Secretary of State for Health and Social Care

2nd March 2023

Neil O'Brien
Parliamentary Under Secretary of State,
Department of Health and Social Care

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 2013 (S.I. 2013/461) (“the 2013 Regulations”) which make provision for payments to be made by means of vouchers to eligible persons, to meet or contribute towards costs incurred in connection with the supply, replacement and repair of optical appliances pursuant to Part 6 of the National Health Service Act 2006 (c. 41). They apply to England only.

The 2013 Regulations are amended to increase voucher values. Regulation 2(2) amends regulation 20 of the 2013 Regulations to increase the redemption value of a voucher issued for replacement of a single contact lens or repair of a frame by 4.5% overall.

Regulations 2(3) to (5) amend Schedules 1, 2 and 3 to the 2013 Regulations to increase the value of vouchers issued towards the cost of supply and replacement of glasses and contact lenses, increase the additional value of vouchers for prisms, tints, photochromic lenses and special categories of appliances and increase the value of vouchers for the cost of the repair and replacement of optical appliances. The rate of increase is 4.5% overall.

Regulation 3 is a saving provision which provides that the old values will continue to apply in relation to vouchers accepted or presented before 1st April 2023.

A full impact assessment has not been produced for this instrument as no impact on the private, voluntary or public sector is foreseen.