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WELSH STATUTORY INSTRUMENTS

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**2023 No. 1053**

**The National Health Service (Ophthalmic Services) (Wales) Regulations 2023**

**PART 3**

**Eligibility and applications for a sight test**

**Application for a sight test**

- 6.—(1) An eligible person may apply to a contractor for a sight test.
- (2) The application must—
- (a) be made on a form provided for that purpose to contractors by the relevant Local Health Board, and
  - (b) contain a written declaration, signed by the applicant in writing or electronically, to the effect that they are an eligible person.
- (3) Before providing such a sight test, a contractor to whom an application has been made must—
- (a) except where paragraph (4) applies, ask the person to produce satisfactory evidence that they meet one of the criteria in paragraph 1 of Schedule 1,
  - (b) where the person has been asked for, but has not provided, satisfactory evidence that they are an eligible person, record that fact on the person's primary ophthalmic services form,
  - (c) ensure that the person's details and the approximate date of their last sight test, if any, are recorded on a primary ophthalmic services form, and
  - (d) satisfy themselves that the sight test is necessary.
- (4) This paragraph applies where—
- (a) the person is eligible by reason of paragraph 1(1)(d) of Schedule 1, and
  - (b) satisfactory evidence of the person's eligibility is already available to the contractor.
- (5) Paragraph 2 of Schedule 1 makes provision about the specific evidence that a contractor must request before providing a sight test to certain persons.
- (6) The contractor—
- (a) may appoint a member of their staff to carry out the requirements of paragraph (3)(a) and (b) on their behalf, and
  - (b) must ensure that the member of staff appointed for that purpose is given instruction to enable them to fulfil the requirements on behalf of the contractor.
- (7) Subject to paragraph (8), an application for general ophthalmic services under these Regulations may be made and a signature required by these Regulations may be given—
- (a) on behalf of any person under 16 years of age, by either parent, the guardian or other adult who has care of the child;
  - (b) on behalf of any person under 18 years of age—

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**Status:** This is the original version (as it was originally made).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

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- (i) in the care of a local authority to whose care they have been committed under the Children Act 1989<sup>(1)</sup> or which has received them into care under the Social Services and Well-being (Wales) Act 2014<sup>(2)</sup>, 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;
  - (c) on behalf of any other person who is incapable of making the application or giving the signature, by a relative or any other adult who has care of that person.
- (8) A signature on an application may not be given by the contractor to whom the application is made.

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(1) 1989 c. 41.  
(2) 2014 anaw 4