SCHEDULES

SCHEDULE 1

Section 1.

OPTICAL APPLIANCES

PART I

AMENDMENTS OF NATIONAL HEALTH SERVICE ACT 1977

1 In section 39 of the National Health Service Act 1977 (regulations as to arrangements for general ophthalmic services)—

(a) in paragraph (a), for the words " ophthalmic opticians and dispensing" there shall be substituted the words " and ophthalmic ";

(b) in paragraph (b), for the words " ophthalmic optician or dispensing " there shall be substituted the words " or ophthalmic "; and

(c) in paragraph (d), for the words " ophthalmic opticians or dispensing " there shall be substituted the words " or ophthalmic ".

2 In sub-paragraph (1) of paragraph 2 of Schedule 12 to that Act (regulations for the making and recovery of charges), the following entry shall be substituted for the words from " Glasses " to " cost", in the first place where it occurs—

"Glasses.	Such sum as may be determined by or in accordance with directions given by the Secretary of State.".

3 The following paragraph shall be inserted after that paragraph—

"2A (1) It shall be the duty of the Secretary of State to provide by regulations for payments to be made by him or by any authority established under this Act to meet, or to contribute towards, the cost incurred (whether by way of charge under this Act or otherwise) for the supply of optical appliances for which a prescription has been given in consequence of a testing of sight under this Act—

(a) for a child ;

(b) for a person whose resources fall to be treated under the regulations as being less than his requirements; or

(c) for a person of such other description as may be prescribed.

(2) In sub-paragraph (1) above " child " means—

(a) a person who is under the age of 16 years ; or

(b) a person who is under the age of 19 years and receiving qualifying full-time education.

(3) Regulations under this paragraph may direct how a person s resources and requirements are to be calculated and, without prejudice to

the generality of this sub-paragraph, may direct that they shall be calculated—

(a) by reference—

(i) to any enactment; or

(ii) to the person's being or having been entitled to payments under any enactment, either as it has effect at the time when the regulations are made or as amended subsequently ; or

(b) by reference to a scale or an index or to any other data either in the form current when the regulations are made or in any subsequent form attributable to amendment or revision taking effect after that time or to any other cause.

(4) If regulations under this paragraph provide for payments to be made by an authority established under this Act, it shall be the duty of the Secretary of State to pay to the authority, in respect of each financial year, the sum attributable to the authority's disbursements under the regulations.

(5) Sums falling to be paid in pursuance of regulations made under this paragraph shall be payable subject to compliance with such conditions as to records, certificates or otherwise as the Secretary of State may determine.”.

PART II

AMENDMENTS OF NATIONAL HEALTH SERVICE (SCOTLAND) ACT 1978

1 In subsection (1) of section 26 (general ophthalmic services) of the National Health Service (Scotland) Act 1978, for the words " with ophthalmic opticians and with dispensing opticians " there shall be substituted the words " and with ophthalmic opticians ".

2 In subsection (2)(a) of the said section, for the words " , ophthalmic optician's and dispensing optician's " there shall be substituted the words " and ophthalmic opticians ".

3 In subsection (2)(b), for the words " any ophthalmic optician or any dispensing optician " there shall be substituted the words " or any ophthalmic optician ".

4 In subsection (2)(d)—

(a) for the words " ophthalmic opticians or dispensing opticians " there shall be substituted the words " or ophthalmic opticians "; and

(b) for the words " ophthalmic optician or dispensing optician " there shall be substituted the words " or ophthalmic optician ".

5 In sub-paragraph (1) of paragraph 2 of Schedule 11 to that Act (charges for dental or optical appliances) the following entry shall be substituted for the words from " Glasses " to the end—

“Glasses.	Such sum as may be determined by or in accordance with directions given by the Secretary of State.”.

6 In paragraph 2 of Schedule 11, in sub-paragraph (7), for the words from the beginning to " testing " there shall be substituted—

"(7) In sub-paragraph (4), " the relevant time " means—

(a) in relation to a dental appliance supplied otherwise than under Part II, the time of the examination leading to the supply of the appliance, or the first such examination ;".

7 The following paragraph shall be inserted after that paragraph—

"2A (1) It shall be the duty of the Secretary of State to provide by regulations for payments to be made by him or by a Health Board to meet, or to contribute towards, the cost incurred (whether by way of charge under this Act or otherwise) for the supply of optical appliances for which a prescription has been given in consequence of a testing of sight under this Act—

(a) for a child ;

(b) for a person whose resources fall to be treated under the regulations as being less than his requirements ; or

(c) for a person of such other description as may be prescribed.

(2) In sub-paragraph (1) above " child " means—

(a) a person who is under the age of 16 years ; or

(b) a person who is under the age of 19 years and receiving qualifying full-time education.

(3) Regulations under this paragraph may direct how a person's resources and requirements are to be calculated and, without prejudice to the generality of this sub-paragraph, may direct that they shall be calculated—

(a) by reference—

(i) to any enactment; or

(ii) to the person's being or having been entitled to payments under any enactment,

either as it has effect at the time when the regulations are made or as amended subsequently ; or

(b) by reference to a scale or an index or to any other data either in the form current when the regulations are made or in any subsequent form attributable to amendment or revision taking effect after that time or to any other cause.

(4) If regulations under this paragraph provide for payments to be made by a Health Board, it shall be the duty of the Secretary of State to pay to the Board, in respect of each financial year, the sum attributable to the Board's disbursements under the regulations.

(5) Sums falling to be paid in pursuance of regulations made under this paragraph shall be payable subject to compliance with such conditions as to records, certificates or otherwise as the Secretary of State may determine.".