

1988 No. 110

HEALTH AND PERSONAL SOCIAL SERVICES**General Ophthalmic Services (Amendment) Regulations
(Northern Ireland) 1988**

Made 29th March 1988

Coming into operation 11th April 1988

The Department of Health and Social Services in exercise of powers conferred on it by Articles 62, 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of every other power enabling it in that behalf, and after consultation with such organisations as appear to the Department to be representative of medical practitioners practising as ophthalmic medical practitioners and ophthalmic opticians, as required by Article 62(3) of the said Order, and in conjunction with the Department of Finance and Personnel(b), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the General Ophthalmic Services (Amendment) Regulations (Northern Ireland) 1988 and shall come into operation on 11th April 1988.

Amendment

2. The Health and Personal Social Services (General Ophthalmic Services) Regulations (Northern Ireland) 1986(c) shall be amended as follows:—

In Schedule 1 (Terms of Service)

(1) In paragraph 4(1) and (2) (Premises and equipment) and paragraph 6(2) (Records), in each case, for the words “A contractor” there shall be substituted the words “Subject to paragraph 8(5), a contractor”.

(2) In paragraph 7(3) (Deputies) there shall be added, at the end, the words “to the same extent as the contractor for whom he is deputising.”.

(3) In paragraph 8(5) (Employees) there shall be added, at the end, the words

“but only, in the case of paragraphs 4(1) and (2) and 6(2), to the extent that he has not taken all reasonable steps to secure that the requirements of those provisions are met.”.

(4) In paragraph 10 (Testing of Sight) after sub-paragraph (3) there shall be added the following sub-paragraph:—

(a) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1984/1158 (N.I. 8)
(b) Formerly Department of Finance: See S.I. 1982/338 (N.I. 6) Art. 3
(c) S.R. 1986 No. 163

“(3A) Where a contractor issues to a patient a prescription for glasses, he shall, immediately thereafter, require the patient to acknowledge its receipt on a sight test form.”.

Sealed with the Official Seal of the Department of Health and Social Services on 29th March 1988.

(L.S.)

H. P. Simpson

Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 29th March 1988.

(L.S.)

Joan A. Mills

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Health and Personal Social Services (General Ophthalmic Services) Regulations (Northern Ireland) 1986 which provide for the arrangements under which ophthalmic medical practitioners and ophthalmic opticians (“contractors”) provide general ophthalmic services (ie sight testing services).

Regulation 2 provides that a contractor who is an employee is absolved from obligations himself, to provide suitable accommodation and equipment, to allow inspection of his accommodation and to retain records provided that he has taken such steps as are reasonable in the circumstances to ensure that those obligations are met. Similarly, the liability of a contractor who is acting as a deputy only extends to that of the contractor for whom he is deputising. Regulation 2 further requires a contractor who issues a prescription for glasses to a patient to require the patient to acknowledge its receipt.