

## 1991 No. 496

**HEALTH AND PERSONAL SOCIAL SERVICES****Optical Charges and Payments (Amendment No. 2)  
Regulations (Northern Ireland) 1991**

*Made* . . . . . 15th November 1991

*Coming into operation* . . . . . 20th November 1991

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 98 and 106 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel(b), hereby makes the following regulations:

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the Optical Charges and Payments (Amendment No. 2) Regulations (Northern Ireland) 1991 and shall come into operation on 20th November 1991.

(2) In these regulations, “the principal regulations” means the Optical Charges and Payments Regulations (Northern Ireland) 1989(c).

*Amendment of regulation 1 of the principal regulations*

2. In regulation 1(2) of the principal regulations (interpretation) for the definition of “health service sight test fee” there shall be substituted the following definition—

“ “health service sight test fee” means, in relation to a testing of a patient’s sight carried out either by an ophthalmic medical practitioner or by an optician—

(a) at a place where the patient normally resides, an amount of £32·15, or

(b) in any other case, an amount of £12·15;”.

*Amendment of regulation 15 of the principal regulations*

3. In regulation 15(3) of the principal regulations (redemption value of voucher for supply of optical appliances) in sub-paragraph (a) for the words from “sight” to the end of the sub-paragraph there shall be substituted the words — “sight—

(a) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1984/1158 (N.I. 8) Article 3 and paragraph 3 of Schedule 1; S.I. 1988/2249 (N.I. 24) paragraphs 4 and 5 of Article 8, and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5; there are other amendments which are not relevant

(b) Formerly Department of Finance: see S.I. 1982/338 (N.I. 6) Art. 3

(c) S.R. 1989 No. 114 as amended by S.R. 1991 No. 115

- (i) by reason only of the fact that the patient's contribution exceeded the health service sight test fee, by the amount by which the patient's contribution exceeded the lesser of the amounts specified in regulation 7(a) and (b),
- (ii) in any other case, by the amount of the patient's contribution;".

Sealed with the Official Seal of the Department of Health and Social Services on 15th November 1991.

(L.S.)

*H. P. Simpson*

Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 15th November 1991.

(L.S.)

*R. Miller*

Assistant Secretary

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These regulations further amend the Optical Charges and Payments Regulations (Northern Ireland) 1989 ("the principal regulations") which provide for payments to be made, by means of a voucher system, in respect of costs incurred by certain categories of persons in connection with the supply, replacement and repair of optical appliances.

Regulation 2 substitutes a new definition of "health service sight test fee" in regulation 1(2) of the principal regulations (interpretation) so as to take account of tests made on domiciliary visits. (The amount of that fee is used, in determining entitlement to assistance for, and in calculating the value of a voucher for, a private sight test.)

Regulation 3 amends regulation 15(3) of the principal regulations (redemption value of vouchers for supply of optical appliances) to provide that where a patient was not eligible for help towards the cost of his private sight test under Part III of the principal regulations (because he had been assessed as able to afford more than the amount of the cost of the health service sight test fee), the value of any voucher issued to him in respect of the supply of glasses or contact lenses following that sight test will be reduced only by the amount by which the patient's contribution exceeded the lesser of the health service sight test fee or the cost of the private sight test.