

2004 No. 188

HEALTH AND PERSONAL SOCIAL SERVICES

**Optical Charges and Payments (Amendment) Regulations
(Northern Ireland) 2004**

Made - - - - - *22nd April 2004*

Coming into operation *17th May 2004*

The Department of Health, Social Services and Public Safety^(a) in exercise of the powers conferred on it by Articles 62, 98, 106 and 107(6) of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972^(b) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel, and after consultation with such organisations as appeared to the Department to be representative of medical practitioners practising as ophthalmic medical practitioners, and of ophthalmic opticians, as required by Article 62(3) of the said Order, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Personal Social Services (Optical Charges and Payments) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 17th May 2004.

(2) In these Regulations, “the principal Regulations” means the Health and Personal Social Services (Optical Charges and Payments) Regulations (Northern Ireland) 1997^(c).

Amendment of regulation 1 of the principal Regulations

2. In regulation 1 of the principal Regulations (Citation, commencement and interpretation), in paragraph (2) –

(a) for the definition of “health service sight test fee” substitute –

“ “health service sight test fee” means the fee set out in Part 2 of the Statement in relation to a testing of sight carried out either by an ophthalmic medical practitioner or by an optician;” and

(b) after the definition of “supply” insert –

“ “the Statement” means the Statement prepared by the Department pursuant to regulation 12 of the Ophthalmic Services Regulations;”.

(a) See S.I. 1999/283 (N.I. 1) Article 3(6)

(b) S.I. 1972/1265 (N.I. 14) as amended by Article 3(2) of, and paragraph 3 of Schedule 1 to, the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8)); paragraphs (4) and (5) of Article 8 of the Health and Medicines (Northern Ireland) Order 1988 (S.I. 1988/2249 (N.I. 24)); Article 34 of, and Part II of Schedule 5 to, the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1)) there are other amendments which are not relevant

(c) S.R. 1997 No. 191; relevant amending Regulations are S.R. 1999 Nos. 111 and 394, S.R. 2000 No. 51, S.R. 2001 No. 133, S.R. 2002 No. 85, S.R. 2003 Nos. 176 and 424 and S.R. 2004 Nos. 92 and 113

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 22nd April 2004.

(L.S.)

Dr. J. F. Livingstone

Senior Officer of the Department of Health, Social Services and Public Safety

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

Sealed with the Official Seal of the Department of Finance and Personnel on 22nd April 2004.

(L.S.)

Jack Layberry

Senior Officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Health and Personal Social Services (Optical Charges and Payments) Regulations (Northern Ireland) 1997 (“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 eye sight tests and the supply, replacement and repair of optical appliances.

Regulation 2 amends the definition of “health service sight test fee” in regulation 1(2) of the principal Regulations to relate it to the fees set out in Part 2 of the Statement in relation to a testing of sight carried out either by an ophthalmic medical practitioner or by an optician. It also inserts a definition of “the Statement” which means the Statement prepared by the Department of Health, Social Services and Public Safety (as determined under regulation 12 of the General Ophthalmic Services Regulations (Northern Ireland) 1986 (S.R. 1986 No. 163)) as to the fees to be paid in relation to a testing of sight carried out either by an ophthalmic medical practitioner or by an optician.

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