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STATUTORY RULES OF NORTHERN IRELAND

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**2004 No. 92**

**HEALTH AND PERSONAL SOCIAL SERVICES**

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

*Made - - - - 8th March 2004*

*Coming into operation –*

*Except for regulations 2 and 6*

*1st April 2004*

*Regulations 2 and 6*

*6th April 2004*

The Department of Health, Social Services and Public Safety<sup>(1)</sup> 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<sup>(2)</sup> 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 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 Optical Charges and Payments and General Ophthalmic Services (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation –

- (a) except for regulations 2 and 6 on 1st April 2004; and
- (b) regulations 2 and 6 on 6th April 2004.

(2) In these Regulations –

“the Optical Regulations” means the Health and Personal Social Services (Optical Charges and Payments) Regulations (Northern Ireland) 1997<sup>(3)</sup>;

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(1) See [S.I. 1999/283 \(N.I. 1\)](#) Article 3(6)

(2) [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

(3) [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](#) and [S.R. 2003 Nos. 176 and 424](#)

“the Ophthalmic Regulations” means the Health and Personal Social Services (General Ophthalmic Services) Regulations (Northern Ireland) 1986(4).

## PART I

### AMENDMENTS OF OPTICAL REGULATIONS

#### Amendment of regulation 8 of the Optical Regulations

2. In regulation 8(3)(k)(ii)(5) of the Optical Regulations (eligibility – supply of optical appliances) for “£14,200” there shall be substituted “£14,600”.

#### Amendment of regulation 19 of the Optical Regulations

3. In regulation 19 of the Optical Regulations (redemption value of voucher for replacement or repair) –

- (a) in paragraph (1)(b) for “£45·70” there shall be substituted “£46·80”; and
- (b) in paragraph (3) for “£11·80” there shall be substituted “£12·10”.

#### Amendment of the Schedules to the Optical Regulations

4.—(1) In Schedule 1 to the Optical Regulations (voucher letter codes and face values – supply and replacement)(6), in column 3 (face value of voucher), for each amount specified in column 1 of the Table below (old amount) there shall be substituted the amount specified in relation to it in column 2 of that Table (new amount).

**TABLE**

Column 1 <i>Old amount</i>	Column 2 <i>New amount</i>
£31·30	£32·10
£47·60	£48·80
£64·80	£71·30
£146·30	£161·00
£54·00	£55·40
£68·70	£70·40
£83·00	£91·30
£160·90	£177·00
£160·90	£164·90
£45·70	£46·80

(4) S.R. 1986 No. 163; relevant amending Regulations are S.R. 1989 No. 113, S.R. 1995 No. 115, S.R. 1996 No. 416, S.R. 1999 Nos. 112 and 394, S.R. 2001 No. 339, S.R. 2002 No. 85 and S.R. 2003 Nos. 176 and 424

(5) Regulation 8(3)(k)(ii) was added by S.R. 2003 No. 176

(6) Schedule 1 is substituted by the Schedule to S.R. 1999 No. 111 and amended by S.R. 2003 No. 176

(2) In Schedule 2 to the principal Regulations (prisms, tints, photochromic lenses, small and special glasses and complex appliances) –

- (a) in paragraph 1(1)(a) (prism – single vision lens) for “£10·10” there shall be substituted “£10·40”;
- (b) in paragraph 1(1)(b) (prism – other lens) for “£12·20” there shall be substituted “£12·50”;
- (c) in paragraph 1(1)(c) (single vision tinted lens) for “£3·40” there shall be substituted “£3·50”;
- (d) in paragraph 1(1)(d) (other tinted lens) for “£3·90” there shall be substituted “£4·00”;
- (e) in paragraph 1(1)(e) (small glasses) –
  - (i) in sub-head (i) for “£51·50” there shall be substituted “£52·80”;
  - (ii) in sub-head (ii) for “£45·70” there shall be substituted “£46·80”;
  - (iii) in sub-head (iii) for “£24·80” there shall be substituted “£25·40”;
- (f) in paragraph 1(1)(g) (specially manufactured frames) for “£51·50” there shall be substituted “£52·80”;
- (g) in paragraph 2(a) (minimum complex appliance payment – single vision lenses) for “£11·00” there shall be substituted “£12·10”;
- (h) in paragraph 2(b) (minimum complex appliance payment – other cases) for “£27·70” there shall be substituted “£30·50”.

(3) For Schedule 3 to the Optical Regulations (voucher values – repair)(7), there shall be substituted the Schedule 3 set out in the Schedule.

### **Application of Regulations 3 and 4**

5. The amendments made in regulations 3 and 4 apply only in relation to a voucher accepted or used pursuant to regulation 12 or regulation 17 of the Optical Regulations on or after 1st April 2004.

## **PART II**

### **AMENDMENTS OF OPHTHALMIC REGULATIONS**

#### **Amendment of regulation 15 of the Ophthalmic Regulations**

6. In Regulation 15(2)(k)(ii) of the Ophthalmic Regulations (sight tests – eligibility)(8) for “£14,200” there shall be substituted “£14,600”.

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 8th March 2004.

L.S.

*Dr. J. F. Livingstone*  
Senior Officer of the  
Department of Health, Social Services and  
Public Safety

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(7) Schedule 3 is substituted by the Schedule to [S.R. 2003 No. 176](#)

(8) Regulation 15 was substituted by [S.R. 1989 No. 113](#) and amended by [S.R. 1995 No. 115](#), [S.R. 1996 No. 416](#), [S.R. 1999 Nos. 112 and 394](#), [S.R. 2001 No. 339](#), [S.R. 2002 No. 85](#) and [S.R. 2003 Nos. 176 and 424](#)

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Sealed with the Official Seal of the Department of Finance and Personnel on 8th March 2004.

L.S.

*Michael Brennan*  
Senior Officer of the  
Department of Finance and Personnel

## SCHEDULE

Regulation 4(3)

## TO THE OPTICAL REGULATIONS AS SUBSTITUTED BY THESE REGULATIONS

## “SCHEDULE 3

Regulation 19(2) and (3)

## VOUCHER VALUE – REPAIR

<i>Nature of repair</i>	<i>Letter Codes – Values</i>								
	A	B	C	D	E	F	G	H	I
	£	£	£	£	£	£	£	£	£
Repair or replacement of one lens	10·00	18·35	29·60	74·45	21·65	29·15	39·60	82·45	76·40
Repair or replacement of 2 lenses	20·00	36·70	59·20	148·90	43·30	58·30	79·20	164·90	152·80
Repair or replacement of:									
the front of a frame	10·25	10·25	10·25	10·25	10·25	10·25	10·25	10·25	10·25
a side of a frame	6·10	6·10	6·10	6·10	6·10	6·10	6·10	6·10	6·10
the whole frame	12·10	12·10	12·10	12·10	12·10	12·10	12·10	12·10	12·10”

## EXPLANATORY NOTE

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

These Regulations further amend the Optical Charges and Payments Regulations (Northern Ireland) 1997 (“the optical Regulations”) which provide for payments to be made, by means of a voucher

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system, in respect of costs incurred by certain categories of persons in connection with the supply, replacement and repair of optical appliances. The Regulations also amend the General Ophthalmic Services Regulations (Northern Ireland) 1986 (“the ophthalmic Regulations”) which provide for the arrangements under which ophthalmic medical practitioners and ophthalmic opticians provide General Ophthalmic Services.

Regulation 2 amends regulation 8 of the optical Regulations to increase the income level at which recipients of tax credits are entitled to health service optical vouchers.

Regulation 3 amends regulation 19 of the optical Regulations to increase the redemption value of a voucher issued towards the cost of replacement of a single contact lens and to increase the maximum contribution by way of a voucher to the cost of repair of a frame.

Regulation 4 and the Schedule amend the Schedules to the optical Regulations. Firstly, the value of vouchers issued towards the costs of the supply and replacement of glasses and contact lenses is increased; secondly, the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances are increased; and thirdly, the value of vouchers issued towards the cost of the repair and replacement of optical appliances is increased. The rate of increase is approximately 2.5% except that the value of vouchers for certain people with high prescription lenses is increased by approximately 10%.

Regulation 5 provides that the increases contained in regulations 3 and 4 only apply in relation to vouchers accepted or used on or after 1st April 2004.

Regulation 6 amends regulation 15 of the ophthalmic Regulations to increase the income level used in determining eligibility for free health service sight tests for recipients of tax credits.