
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998 (S.I.1998/642) (“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 sight tests and the supply, replacement and repair of optical appliances.

These Regulations amend the principal Regulations to delete references to Health Board, where appropriate in relation to services provided by or on behalf of NHS trusts (regulations 4, 5(a) and (g), 6, 7, 8 and 9).

Regulation 3(2)(e) substitutes a new definition of “responsible authority” to insert references to the Agency to reflect the transfer of payment functions to the Common Services Agency in relation to services provided by or on behalf of NHS trusts. Regulation 3(2)(f) substitutes a new definition of “voucher”.

Regulation 5(a) amends regulation 8 of the principal Regulations to make it clear that where a sight test takes place otherwise than under the 1978 Act the person does not have to reside in the area where the test took place to be eligible to receive a voucher.

The Regulations amend the categories of eligibility for payments to meet or to contribute towards the cost of supplying an optical appliance, to include people in receipt of disabled person’s tax credit and working families’ tax credit, which replace disability working allowance and family credit respectively (regulations 3(2)(a) to (d) and 5(b) to (f)). Regulation 10 makes provision in connection with people in receipt of disability working allowance and family credit during the transitional period.