

1990 No. 1048 (S.130)

NATIONAL HEALTH SERVICE, SCOTLAND

The National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 1990

<i>Made</i>	<i>9th May 1990</i>
<i>Laid before Parliament</i>	<i>11th May 1990</i>
<i>Coming into force</i>	<i>1st June 1990</i>

The Secretary of State, in exercise of powers conferred on him by sections 26, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 1990 and shall come into force on 1st June 1990.

Amendment of terms of service

2.—(1) Schedule 1 to the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986(b) (terms of service) is amended in accordance with the following provisions of this regulation.

(2) For paragraph 3 (arrangements for the provision of services) there is substituted:—

“Premises at which general ophthalmic services are to be provided

3. (1) Subject to sub-paragraph (2), a contractor shall provide general ophthalmic services at any address which is included in relation to him in the ophthalmic list.

(2) A contractor may, on request being made by or on behalf of a patient, agree to provide general ophthalmic services at the place at which the patient normally resides.”.

(3) In paragraph 5 (notices) there are inserted after the words “services” where it first occurs the words “in accordance with paragraph 3(1)”.

(4) In paragraph 9(5) (payments) the words from “; or” to “request” are omitted.

St Andrew's House, Edinburgh
9th May 1990

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish Office

(a) 1978 c.29; section 26 was amended by the Health and Social Security Act 1984 (c.48), section 1(5), Schedule 1, Part II, paragraphs 1 to 4 and Schedule 8 and by the Health and Medicines Act 1988 (c.49), section 13(4); section 105(7), which contains provisions relevant to the making of Regulations, was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made.

(b) S.I. 1986/965, amended by S.I. 1988/543, 1989/387 and 1177.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986 which provide for the arrangements under which ophthalmic medical practitioners and ophthalmic opticians ("contractors") provide general ophthalmic services (sight testing services).

Regulation 2 amends the contractors' terms of service. Regulation 2(2) substitutes a new paragraph 3 to require a contractor to provide general ophthalmic services at his practice premises unless he agrees to provide such services at the place where the patient normally resides. Paragraph 5 is amended (regulation 2(3)) to require a contractor to display a notice in accordance with that paragraph at his practice premises only. An amendment is made to paragraph 9(5) to remove a contractor's right to recover from a patient a sum in respect of a journey made to that patient's home at his request (regulation 2(4)).

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