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STATUTORY INSTRUMENTS

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**1991 No. 2465**

**NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The National Health Service (Optical Charges and  
Payments) Amendment (No. 2) Regulations 1991**

*Made* - - - - 28th October 1991  
*Laid before Parliament* 29th October 1991  
*Coming into force* - - 20th November 1991

The Secretary of State for Health, in exercise of powers conferred by section 126(4) of, and paragraph 2A of Schedule 12 to, the National Health Service Act 1977<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) Amendment (No. 2) Regulations 1991 and shall come into force on 20th November 1991. (2) In these Regulations, “the principal Regulations” means the National Health Service (Optical Charges and Payments) Regulations 1989<sup>(2)</sup>.

**Amendment of regulation 1 of the principal Regulations**

2. In regulation 1(2) of the principal Regulations (interpretation) for the definition of “NHS sight test fee” there is substituted the following definition—

““NHS 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 £32.15p, or
- (b) in any other case, an amount of £12.15p;”.

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(1) 1977 c. 49; see section 128 for the definitions of “prescribed” and “regulations”. Section 126(4) was amended by the National Health Service and Community Care Act 1990 (c. 19), section 65(2). Paragraph 2A of Schedule 12 was inserted by the Health and Social Security Act 1984 (c. 48), Schedule 1, Part I, paragraph 3 and amended by section 13(2) and (3) of the Health and Medicines Act 1988 (c. 49).  
(2) S.I. 1989/396, amended by S.I. 1990/495, 1991/583 and 1680.

### **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 are substituted the words–

“sight–

- (i) by reason only of the fact that the patient’s contribution exceeded the NHS 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;”.

Signed by the authority of the Secretary of State for Health

28th October 1991

*Virginia Bottomley*  
Minister of State,  
Department of Health

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## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 1989 (“the principal Regulations”) which provide for payments to be made, by means of a voucher system, towards the cost incurred by certain people for a sight test and in respect of costs incurred by certain categories of persons in connection with the supply of optical appliances.

Regulation 2 substitutes a new definition of “NHS 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 a contribution towards the cost of his private sight test under Part III of the principal Regulations, 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 NHS sight test fee or the cost of the private sight test.