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STATUTORY INSTRUMENTS

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**1992 No. 531 (S.62)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Optical Charges and Payments)  
(Miscellaneous Amendments) (Scotland) Regulations 1992**

<i>Made</i>	- - - -	<i>5th March 1992</i>
<i>Laid before Parliament</i>		<i>10th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</i>

The Secretary of State, in exercise of powers conferred on him by sections 26, 70(1), 73(a) and (c), 74(a) and (c), 105(7) and 108(1) of, and paragraphs 2 and 2A of Schedule 11 to, the National Health Service (Scotland) Act 1978(1) 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) (Miscellaneous Amendments) (Scotland) Regulations 1992 and shall come into force on 1st April 1992.

(2) In these Regulations—

- (a) “the principal Regulations” means the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1989(2).
- (b) “the 1986 Regulations” means the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986(3).

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

2. In regulation 1(2) of the principal Regulations (interpretation)—

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- (1) 1978 c. 29; section 26 was amended by the Health and Social Security Act 1984 (c. 48) (“the 1984 Act”), section 1(5), Schedule 1, Part II, paragraphs 1 to 4 and Schedule 8 and by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), section 13(4); section 70(1) was amended by the 1988 Act, Schedule 3; sections 73(c) and 74(c) were inserted by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19(11) and (12); section 105(7) was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made; paragraph 2(1) of Schedule 11 was substituted by the 1988 Act, Schedule 2, paragraph 15(1); and paragraph 2A of Schedule 11 was inserted by the 1984 Act, Schedule 1, Part II, paragraph 7 and amended by the 1988 Act, section 13(2) and (5).
  - (2) S.I. 1989/392, amended by S.I. 1990/509 and 1991/534, 1731 and 2487.
  - (3) S.I. 1986/965; relevant amending instruments are S.I. 1989/387 and 1991/534.

- (a) in the definition of “complex appliance” sub-paragraph (b) is omitted;
- (b) in the definition of “NHS sight test fee”—
  - (i) in sub-paragraph (a) for “£32.15” there is substituted “£33.75”; and
  - (ii) in sub-paragraph (b) for “£12.15” there is substituted “£12.75”.

### **Amendment of regulation 20 of the principal Regulations**

**3.** In regulation 20 of the principal Regulations (redemption value of voucher replacement or repair)—

- (a) in paragraph (1)(b) for “£32.80” there is substituted “£35.90”; and
- (b) in paragraph (3)(i) for “£8.40” there is substituted “£9.00”.

### **Amendment of Schedules to the principal Regulations**

**4.—(1)** For Schedule 1 to the principal Regulations (voucher letter codes and face values) there is substituted the Schedule 1 set out in Part I to the Schedule to these Regulations.

(2) For Schedule 2 to the principal Regulations (voucher values-repair) there is substituted the Schedule 2 set out in Part II of the Schedule to these Regulations.

(3) In Schedule 3 to the principal Regulations (prisms, tints, photochromic lenses, small glasses and special frames and complex appliances)—

- (a) in paragraph 1(1)(a) (single vision lens with prism) for “£4.20” there is substituted “£4.60”;
- (b) in paragraph 1(1)(b) (other lens with prism) for “£5.20” there is substituted “£5.70”;
- (c) in paragraph 1(1)(c) (single vision tinted lens) for “£2.10” there is substituted “£2.30”;
- (d) in paragraph 1(1)(d) (other tinted lens) for “£2.60” there is substituted “£2.85”;
- (e) in paragraph 1(1)(e) (small glasses)—
  - (i) in sub-head (i) for “£36.00” there is substituted “£39.40”;
  - (ii) in sub-head (ii) for “£32.00” there is substituted “£35.00”, and
  - (iii) in sub-head (iii) for “£17.30” there is substituted “£18.90”;
- (f) in paragraph 1(1)(f) (photochromic lenses) for “£2.10” there is substituted “£2.30” and for “£2.60” there is substituted “£2.85”;
- (g) in paragraph 1(1)(g) (specially manufactured frames) for “£36.00” there is substituted “£39.40”;
- (h) in paragraph 2(a) (minimum complex appliance payment - single vision lenses) for “£3.70” there is substituted “£4.00”; and
- (i) in paragraph 2(b) (minimum complex appliance payment other lenses) for “£19.70” there is substituted “£21.60”.

### **Amendment of the 1986 Regulations**

**5.** In regulation 2(1) of the 1986 Regulations (interpretation) in the definition of “complex appliance” sub-paragraph (ii) is omitted.

### **Application of Regulations**

**6.—(1)** Subject to paragraph (2), the amendments made by regulations 3 and 4 of, and the Schedule to, these Regulations shall apply only in relation to a voucher—

- (a) accepted or used pursuant to regulation 12 or regulation 18 of the principal Regulations on or after 1st April 1992; or
  - (b) sent to a Health Board pursuant to regulation 14(2)(c) of the principal Regulations in respect of cost incurred on or after that date.
- (2) Where—
- (a) before 1st April 1992, a voucher has been issued under regulation 9(2) or (7), 10(3), 11(2) or 17(2) or (3) of the principal Regulations in relation to—
    - (i) a prescription for the supply of an appliance which was a complex appliance only by virtue of its containing a lenticular lens; or
    - (ii) the replacement or repair of such an appliance; or
  - (b) on or after the 1st April 1992, a voucher is issued under regulation 10(4) of the principal Regulations to replace one issued prior to that date in relation to a prescription for the supply of an appliance which was a complex appliance only by virtue of its containing a lenticular lens,

the principal Regulations shall apply to the use or redemption of that voucher in connection with the supply, replacement or repair of that appliance, or to the issue of that replacement voucher, on or after the 1st April 1992 as if regulations 2, 3 and 4 of, and the Schedule to, these Regulations had not come into force.

- (3) Where, on or after 1st April 1992—
- (a) a testing of sight takes place pursuant to an application made before that date under regulation 14A of the 1986 Regulations; and
  - (b) at the time of such application, the applicant was an eligible person for the purposes of those Regulations under regulation 14(1)(d) thereof only by virtue of his need to wear an appliance containing a lenticular lens,

the 1986 Regulations shall apply in relation to that testing of sight as if regulation 5 of these Regulations had not come into force.

St Andrew's House,  
Edinburgh  
5th March 1992

*Michael B. Forsyth*  
Minister of State, Scottish Office

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SCHEDULE

Regulation 4(1) and (2)

PART I

SCHEDULE 1 TO THE PRINCIPAL REGULATIONS  
AS SUBSTITUTED BY THESE REGULATIONS

“SCHEDULE 1 Regulations 1(2) and (3), 9(3)(a), 10(3)(a),  
11(3)(a), and 17(2)(a) and (3)(a)

VOUCHER LETTER CODES AND FACE VALUES

Column 1 Type of optical appliance	Column 2 Letter code	Column 3 Face value of voucher
<p><b>1.</b> Glasses with single vision lenses—</p> <p>(a) of a spherical power of not more than 6 dioptries with a cylindrical power of not more than 2 dioptries;</p> <p>(b) of a spherical power of not more than 2 dioptries with a cylindrical power of more than 2 dioptries and not more than 4 dioptries.</p>	A	£23.70
<p><b>2.</b> Glasses with single vision lenses—</p> <p>(a) of a spherical power of more than 2 dioptries but not more than 6 dioptries with a cylindrical power of more than 2 dioptries but not more than 4 dioptries;</p> <p>(b) of a spherical power of more than 6 dioptries but less than 10 dioptries with a cylindrical power of not more than 2 dioptries.</p>	B	£37.40
<p><b>3.</b> Glasses with single vision lenses—</p>	C	£51.00

Column 1 Type of optical appliance	Column 2 Letter code	Column 3 Face value of voucher
(a) of a spherical power of 10 or more dioptries but not more than 20 dioptries with a cylindrical power of not more than 6 dioptries;		
(b) with a spherical power of not more than 10 dioptries with a cylindrical power of more than 4 dioptries but not more than 6 dioptries;		
(c) of a spherical power of more than 6 dioptries but less than 10 dioptries with a cylindrical power of more than 2 dioptries but not more than 4 dioptries.		
<b>4. Glasses with single vision lenses—</b>	<b>D</b>	<b>£100.00</b>
(a) of a spherical power of more than 20 dioptries with any cylindrical power;		
(b) of a spherical power of not more than 20 dioptries with a cylindrical power of more than 6 dioptries.		
<b>5. Glasses with bifocal lenses—</b>	<b>E</b>	<b>£41.00</b>
(a) of a spherical power of not more than 6 dioptries with a cylindrical power of not more than 2 dioptries;		
(b) of a spherical power of not more than 2 dioptries with a cylindrical power of more than 2 dioptries		

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Column 1 Type of optical appliance	Column 2 Letter code	Column 3 Face value of voucher
and not more than 4 dioptries.		
6. Glasses with bifocal lenses—	F	£54.00
(a) of a spherical power of more than 6 dioptries but less than 10 dioptries with a cylindrical power of not more than 2 dioptries;		
(b) of a spherical power of more than 2 dioptries but not more than 6 dioptries with a cylindrical power of more than 2 dioptries but not more than 4 dioptries.		
7. Glasses with bifocal lenses—	G	£65.00
(a) of a spherical power of 10 or more dioptries but not more than 14 dioptries with a cylindrical power of not more than 6 dioptries;		
(b) of a spherical power of not more than 10 dioptries with a cylindrical power of more than 4 dioptries but not more than 6 dioptries;		
(c) of a spherical power of more than 6 dioptries but less than 10 dioptries with a cylindrical power of more than 2 dioptries but not more than 4 dioptries.		
8. Glasses with controlled bifocal lenses of any power or with bifocal lenses—	H	£110.00

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Column 1 Type of optical appliance	Column 2 Letter code	Column 3 Face value of voucher
(a) of a spherical power of more than 14 dioptries with any cylindrical power;		
(b) of a spherical power of not more than 14 dioptries with a cylindrical power of more than 6 dioptries.		
<b>9.</b> Glasses not falling within any of paragraphs 1 to 8 for which a prescription is given in consequence of a testing of sight by a Health Board or an NHS trust.	I	£110.00
<b>10.</b> Contact lenses for which a prescription is given in consequence of a testing of sight by a Health Board or an NHS trust.	J	£35.90 (per lens)”

## PART II

### SCHEDULE 2 TO THE PRINCIPAL REGULATIONS AS SUBSTITUTED BY THESE REGULATIONS

“SCHEDULE 2

Regulations 20(2) and (3)

#### VOUCHER VALUES — REPAIR

Column 1 Nature of repair to appliance	Column 2 Letter Codes-Values							
	A £	B £	C £	D £	E £	F £	G £	H & I £
Repair or replacement of one lens	7.35	14.20	21.00	45.50	16.00	22.50	28.00	50.50
Repair or replacement	14.70	28.40	42.00	91.00	32.00	45.00	56.00	101.00

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Column 1	Column 2							
Nature of repair to appliance	Letter Codes-Values							
	A	B	C	D	E	F	G	H & I
	£	£	£	£	£	£	£	£
of two lenses								
Repair or replacement of—								
the front of a frame	7.65	7.65	7.65	7.65	7.65	7.65	7.65	7.65
a side of a frame	4.50	4.50	4.50	4.50	4.50	4.50	4.50	4.50
the whole frame	9.00	9.00	9.00	9.00	9.00	9.00	9.00	9.00
Maximum	23.70	37.40	51.00	100.00	41.00	54.00	65.00	110.00”

## EXPLANATORY NOTE

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

These Regulations amend the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1989 (“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 the supply, replacement and repair of optical appliances.

Regulation 2 of these Regulations amends the definition in regulation 1(2) of the principal Regulations of “NHS sight test fee” to increase by 5 per cent the amount by reference to which entitlement to assistance with the cost of a private sight test, and the value of a voucher towards such cost or towards the cost of the supply of glasses or contact lenses, is calculated. These Regulations also substitute a new Schedule 1 and a new Schedule 2 in the principal Regulations to increase by an average of 9.5 per cent, the value of vouchers issued in respect of the cost of the supply and replacement of glasses and contact lenses (regulation 4(1) and Part I of the Schedule) and of the repair and replacement of appliances (regulation 4(2) and Part II of the Schedule). These Regulations also extend the system of letter codes prescribed in Schedule 1 to the principal Regulations by reference to which the value of the voucher appropriate to any type of optical appliance is determined, and vary the types of appliance to which each letter code relates (regulation 4(1) and Part I of



the Schedule). Regulation 3 makes consequential amendments to regulation 20 of the principal Regulations (redemption value of voucher - replacement or repair). Regulation 4(3) increases the additional values for vouchers in respect of prisms, tints, photochromic lenses and special categories of appliances.

These Regulations also amend the definition of “complex appliance” in regulation 1(2) of the principal Regulations, so as to remove lenticular lenses from that definition (regulation 2) and a similar amendment is made to the definition of that expression in regulation 2(1) of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986 so that person may no longer be eligible for a free sight test by virtue only of the fact that he requires a lenticular lens (regulation 5).