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STATUTORY INSTRUMENTS

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**1997 No. 2492 (S.164)**

**NATIONAL HEALTH SERVICE, SCOTLAND**

**The National Health Service (Optical Charges and Payments) (Scotland) Amendment (No.2) Regulations 1997**

<i>Made</i>	- - - -	<i>15th October 1997</i>
<i>Laid before Parliament</i>		<i>20th October 1997</i>
<i>Coming into force</i>	- -	<i>10th November 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 70(1), 105(7) and 108(1) of, and paragraph 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) (Scotland) Amendment (No.2) Regulations 1997 and shall come into force on 10th November 1997.

(2) In these Regulations “the principal Regulations” means the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1989(2).

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

2. In regulation 1(2) of the principal Regulations (interpretation) in the definition of “NHS sight test fee”—

- (a) in sub-paragraph (a) for “£37.83” there is substituted “£39.04”; and
- (b) in sub-paragraph (b) for “£13.71” there is substituted “£14.10”.

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(1) 1978 c. 29; section 70(1) was amended by the Health and Medicines Act 1988 (c. 49) (“the 1988 Act”), Schedule 3; 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; and paragraph 2A of Schedule 11 was inserted by the Health and Social Security Act 1984 (c. 48), Schedule 1, Part II, paragraph 7 and amended by the 1988 Act, section 13(2) and (5).

(2) S.I. 1989/392; relevant amending instruments are S.I. 1994/145, 1995/1 and 1995/2369.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
15th October 1997

*Sam Galbraith*  
Minister for Health, Scottish Office

## EXPLANATORY NOTE

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

These Regulations further 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 amends the definition of “NHS sight test fee” in regulation 1(2) of the principal Regulations. This fee is set at two levels depending on whether the sight test was carried out at the patient’s home or not, and the appropriate figure is used to calculate the value of assistance towards the cost of a private sight test.

These two levels of NHS sight test fee are raised by regulation 2 as follows—

- (a) the figure used where the sight test was carried out at the patient’s home is raised from £37.83 to £39.04 which represents an increase of 3.2%; and
- (b) the figure used in all other cases is increased from £13.71 to £14.10 which represents an increase of 2.8%.