

2002 No. 547

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (Optical Charges and Payments)
Amendment (No. 2) Regulations 2002**

<i>Made</i> - - - -	<i>11th March 2002</i>
<i>Laid before Parliament</i>	<i>11th March 2002</i>
<i>Coming into force</i>	
<i>except for regulation 2</i>	<i>1st April 2002</i>
<i>regulation 2</i>	<i>9th April 2002</i>

The Secretary of State for Health, in exercise of the powers conferred on him by sections 38, 78(1) and 126(4) of, and paragraphs 2 and 2A of Schedule 12 to, the National Health Service Act 1977^(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations—

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) Amendment (No. 2) Regulations 2002.

(2) These Regulations shall come into force—

- (a) except for regulation 2, on 1st April 2002; and
- (b) regulation 2, on 9th April 2002.

(3) In these Regulations “the principal Regulations” means the National Health Service (Optical Charges and Payments) Regulations 1997^(b).

(4) These Regulations extend to England only.

Amendment of regulation 8 of the principal Regulations

2. In regulation 8(3)(c) and (g) of the principal Regulations (eligibility—supply of optical appliances)^(c) for “£71.00” on each occasion it appears there shall be substituted “£72.20”.

^(a) 1977 c.49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c.19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 126(4) was amended by the 1990 Act, section 65(2), by the Health Act 1999 (c.8) (“the 1999 Act”), Schedule 4, paragraph 37(6) and by the Health and Social Care Act 2001 (c.15) (“the 2001 Act”), Schedule 5, paragraph 5(13)(b). Paragraph 2(1) of Schedule 12 was substituted by the Health and Medicines Act 1988 (c.49) (“the 1988 Act”), Schedule 2, paragraph 8(1); and 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 1988 Act. The functions of the Secretary of State under the National Health Service Act 1977 are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales under the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, article 2(a) and Schedule 1 as amended by section 66(5) of the 1999 Act. *See* also section 68 of the 2001 Act.

^(b) S.I. 1997/818 as amended by S.I. 1997/2488, 1998/499, 1999/609, 1999/2562, 2000/594, 2000/3029, 2001/414, 2001/749, 2001/3066 and 2002/35.

^(c) As amended by S.I. 1999/2562.

Amendment of regulation 19 of the principal Regulations

3. In regulation 19 of the principal Regulations (redemption value of voucher for replacement or repair)—

- (a) in paragraph (1)(b) for “£43.90” there shall be substituted “£44.60”; and
- (b) in paragraph (3) for “£11.30” there shall be substituted “£11.50”.

Amendment of the Schedules to the principal Regulations

4.—(1) In Schedule 1 to the principal Regulations (voucher letter codes and face values—supply and replacement) in column (3) (face value of voucher), for each amount specified in column 1 of the table below there shall be substituted the amount specified in relation to it in column 2 of that table.

TABLE

(1) <i>Old amount</i>	(2) <i>New amount</i>
£30.00	£30.50
£45.60	£46.40
£62.10	£63.20
£140.30	£142.70
£51.80	£52.70
£65.90	£67.00
£79.60	£81.00
£154.30 (in both places where it appears)	£157.00
£43.90	£44.60

(2) In Schedule 2 to the principal Regulations (prisms, tints, photochromic lenses, small and special glasses and complex appliances)—

- (a) in paragraph 1(1)(a) for “£6.30” there shall be substituted “£9.90”;
- (b) in paragraph 1(1)(b) for “£7.20” there shall be substituted “£11.90”;
- (c) in paragraph 1(1)(c) for “£3.20” there shall be substituted “£3.30”;
- (d) in paragraph 1(1)(d) for “£3.70” there shall be substituted “£3.80”;
- (e) in paragraph 1(1)(e) for “£49.40”, “£43.90”, and “£23.80” there shall be substituted “£50.20”, “£44.60” and “£24.20” respectively;
- (f) in paragraph 1(1)(g) for “£49.40” there shall be substituted “£50.20”;
- (g) in paragraph 2(a) for “£10.50” there shall be substituted “£10.70”;
- (h) in paragraph 2(b) for “£26.50” there shall be substituted “£27.00”.

(3) For Schedule 3 to the principal Regulations (voucher values—repair), there shall be substituted the Schedule 3 set out in the Schedule to these Regulations.

Application of these Regulations

5. The amendments made in these Regulations apply only in relation to a voucher accepted or used pursuant to regulation 12 or regulation 17 of the principal Regulations on or after 1st April 2002.

Signed by authority of the Secretary of State for Health

Hazel Blears
Parliamentary Under Secretary of State,
Department of Health

11th March 2002

SCHEDULE**Regulation 4(3)****SCHEDULE 3 TO THE PRINCIPAL REGULATIONS AS SUBSTITUTED BY
THESE REGULATIONS****SCHEDULE 3****Regulation 19(2) and (3)****VOUCHER VALUES—REPAIR**

<i>(1)</i> <i>Nature of Repair</i>	<i>(2)</i> <i>Letter Codes—Values</i>							
	<i>A</i> £	<i>B</i> £	<i>C</i> £	<i>D</i> £	<i>E</i> £	<i>F</i> £	<i>G</i> £	<i>H&I</i> £
Repair or replacement of one lens	9.50	17.45	25.85	65.60	20.60	27.75	34.75	72.75
Repair or replacement of two lenses	19.00	34.90	51.70	131.20	41.20	55.50	69.50	145.50
Repair or replacement of:								
The front of a frame	9.75	9.75	9.75	9.75	9.75	9.75	9.75	9.75
A side of a frame	5.80	5.80	5.80	5.80	5.80	5.80	5.80	5.80
The whole frame	11.50	11.50	11.50	11.50	11.50	11.50	11.50	11.50

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (Optical Charges and Payments) Regulations 1997 (“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 regulation 8 of the principal Regulations to increase the income level at which recipients of tax credits are entitled to supply of NHS optical appliances.

Regulation 3 amends regulation 19 of the principal Regulations (redemption value of voucher for replacement or repair) to increase the redemption value of a voucher issued towards the cost of replacement of a single contact lens and to increase the maximum contribution by way of a voucher to the cost of repair of a frame.

Schedule 1 to the principal Regulations is amended by regulation 4 to increase the value of vouchers issued towards the costs of the supply and replacement of glasses and contact lenses. Schedule 2 to the principal Regulations is amended to increase the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances.

A new Schedule 3 is substituted in the principal Regulations to increase the value of vouchers issued towards the cost of the repair and replacement of optical appliances (regulation 4 and the Schedule).

In most cases the rate of increase is approximately 1.7%. There are higher increases for prisms.

£1.75

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