
STATUTORY INSTRUMENTS

2013 No. 335

**The National Health Service (Performers
Lists) (England) Regulations 2013**

PART 4

Ophthalmic Performers List

CHAPTER 2

Ophthalmic Performers Lists

Application for inclusion in the ophthalmic performers list

39.—(1) In addition to satisfying the requirements of regulation 4, an application by an ophthalmic practitioner for inclusion in the ophthalmic performers list must satisfy the requirements of this regulation.

(2) The ophthalmic practitioner must provide—

- (a) details of the ophthalmic practitioner's professional qualifications, details of where they were obtained and evidence of them, including, if the practitioner seeks inclusion as an ophthalmic medical practitioner, evidence of the ophthalmic practitioner's approval as an ophthalmic medical practitioner under regulation 43 or 44;
- (b) a declaration that the ophthalmic practitioner is included in the register;
- (c) the ophthalmic practitioner's professional registration number and date of first registration;
- (d) confirmation of whether the ophthalmic practitioner is a contractor under a general ophthalmic services contract; and
- (e) confirmation of whether the ophthalmic practitioner is a contractor under a general ophthalmic services contract for more than one scheme and, if so, which schemes and which of those schemes is the relevant scheme.

(3) The ophthalmic practitioner must give the following undertakings—

- (a) if the ophthalmic practitioner is a contractor under a general ophthalmic services contract, to comply with the requirements of paragraph 52 of Schedule 1 to the General Ophthalmic Services Contracts Regulations 2008 (gifts)(1); and
- (b) if the ophthalmic practitioner is not a contractor under a general ophthalmic services contract, to comply with the requirements in sub-paragraph (a) as though the ophthalmic practitioner were such a contractor.

(4) Any person who is not an optometrist, but expects to become so on successful completion of the necessary training and wishes to be entered on the performers list from the date of that person's entry in the register, may make an application to the Board not more than 3 months in advance of the date that that person expects to be entered in the register.

(1) [S.I. 2008/1185](#). Paragraph 52 of Schedule 1 was amended by [S.I. 2013/365](#).

(5) An application under paragraph (4) must, save in respect of the information required by paragraph (2)(b) and (c)—

- (a) contain everything that an application by an ophthalmic practitioner for inclusion in the ophthalmic performers list must contain; and
- (b) be treated as if it were such an application (and, in the application of these Regulations to any such application, a reference to an optometrist or ophthalmic practitioner is to be taken as including a reference to an applicant under paragraph (4)): this sub-paragraph is subject to paragraph (7).

(6) An applicant under paragraph (4) must provide the information required by paragraph (2)(b) and (c) as soon as that applicant has been notified by the General Optical Council that the applicant has been admitted to the register.

(7) The Board must decide an application under paragraph (4) within 7 days of receiving the information under paragraph (6), provided—

- (a) the other requirements of regulation 4 and this regulation have been met;
- (b) it has not sought further information, references or documentation from the applicant under regulation 5(2) or 5(3); and
- (c) it has not deferred the application under regulation 8.