
STATUTORY INSTRUMENTS

2013 No. 461

**The National Health Service (Optical
Charges and Payments) Regulations 2013**

PART 7

PAYMENTS TO PERSONS IN RESPECT OF OPTICAL APPLIANCES

Payments to persons in respect of the supply, replacement or repair of optical appliances

24.—(1) A payment may be made under this regulation to a person of a description specified in regulation 8(2) or 16(3) who pays for the supply, replacement or repair of an optical appliance without exercising their right under regulation 9, 10 or 17 to a payment to meet or contribute towards the cost incurred for that supply, replacement or repair.

(2) A person who wishes to receive a payment under this regulation must—

- (a) make a claim to the Secretary of State if they consider that they fall within the description specified in regulation 8(2)(c) or (d); or
- (b) in all other cases, make a claim to the Board.

(3) Subject to paragraph (4), any such claim must be made within three months of the date of payment for the supply, replacement or repair of the optical appliance, or within such further period as the Secretary of State or the Board may allow, and that claim must be made on a form provided by or on behalf of the Secretary of State or the Board for that purpose.

(4) Where a person pays by instalments for the supply, replacement or repair of an optical appliance, any claim made by that person under paragraph (2) must be made within three months of the date of payment of the first instalment.

(5) A person who makes a claim under paragraph (2) must produce such evidence in support of that claim as the Secretary of State or the Board may reasonably require, which may include the receipt for any fee paid for the supply, replacement or repair of the optical appliance.

(6) Subject to paragraph (8), where the Secretary of State is satisfied that the person is entitled to a payment as a result of a claim under paragraph (2)(a)—

- (a) the Secretary of State must authorise in writing the payment of the amount in question to the person by the Board, and
- (b) on receipt of such authorisation, the Board must make a payment to the person of an amount equal to the redemption value of the voucher which could have been completed under regulations 9, 10 or 17 if the person had satisfied the requirements of regulations 9, 10 or 17 as the case may be.

(7) Subject to paragraph (8), where the Board is satisfied that the person is entitled to a payment as a result of a claim under paragraph (2)(b), it must make a payment to the person of an amount equal to the redemption value of the voucher which could have been completed under regulations 9, 10 or 17 if the person had satisfied the requirements of regulations 9, 10 or 17 as the case may be.

(8) Where the Board makes a payment under paragraph (6) or (7) to a person who pays by instalments for the supply, replacement or repair of an optical appliance, that payment must be made as soon as reasonably practicable after the date on which the total value of the instalments paid becomes equal to or greater than the redemption value of the voucher which could have been completed under regulation 9, 10 or 17 if the person had satisfied the requirements of regulation 9, 10 or 17 as the case may be.