
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (“the 2003 Regulations”), the Primary Ophthalmic Services Regulations 2008 (“the 2008 Regulations”) and the National Health Service (Optical Charges and Payments) Regulations 2013 (“the 2013 Regulations”).

Regulation 5 of the 2003 Regulations makes provision for England to enable people in receipt of certain state benefits or on low incomes, to be reimbursed for travel expenses incurred in obtaining certain NHS services and to be exempt from paying certain NHS charges, without needing to make a claim. This includes persons who are in receipt of universal credit (and certain dependent children and young persons) during the period specified in regulation 5. Regulation 2 amends regulation 5(1)(f) of the 2003 Regulations to extend the final date of the period from 31st October 2014 to 31st March 2015.

Regulation 3 of the 2008 Regulations makes provision in England about who is entitled to primary ophthalmic services sight tests under the National Health Service Act 2006. This includes persons who are in receipt of universal credit and certain dependent children and young persons during the period specified in regulation 3. Regulation 3 of these Regulations amends regulation 3(2)(1) of the 2008 Regulations to extend the final date of the period from 31st October 2014 to 31st March 2015.

Regulation 4 of the 2013 Regulations provides for a scheme for payments to be made by means of a voucher system, in respect of costs incurred by certain categories of persons in connection with sight tests and the supply, replacement and repair of optical appliances. This includes persons who are in receipt of universal credit and certain dependent children and young persons during the period specified in regulation 4. Regulation 4 amends regulation 8(3)(j) of the 2013 Regulations to extend the final date of the period from 31st October 2014 to 31st March 2015.

Regulations 2, 3 and 4 also have the effect of restricting, from 1st November 2014, entitlement to payment in full of NHS travel expenses and full remission of NHS charges, eligibility to receive NHS sight tests and eligibility for payments in connection with optical appliances in two respects. Firstly, entitlement becomes limited to periods when universal credit is in fact payable whereas previously entitlement to payment in full of NHS travel expenses and full remission of NHS charges, eligibility to receive NHS sight tests and eligibility for payments in connection with optical appliances continued after entitlement to universal credit ceased. Secondly, it removes the previous entitlement to payment in full of NHS travel expenses and full remission of NHS charges, eligibility to receive NHS sight tests and eligibility for payments in connection with optical appliances for partners of those receiving universal credit, where the partner is not in receipt of universal credit either as a single person or as a member of a couple.

There are transitional provisions in regulations 5, 6 and 7 which ensure that, for people who would otherwise lose the low income scheme benefits on 1st November 2014, they will continue to receive those benefits until 31st March 2015 provided that entitlement to them relates to matters that arose before 1st November 2014.