

SCHEDULES

SCHEDULE 6

Regulation 40

Minor and consequential amendments to secondary legislation

The National Health Service (Service Committees and Tribunal) Regulations 1992

1.—(1) The National Health Service (Service Committees and Tribunal) Regulations 1992⁽¹⁾ are amended as follows.

(2) In regulation 2(1) (interpretation)—

(a) in the definition of “complaint”, for “Part II services” substitute “a relevant service”;

(b) for the definition of “Ophthalmic Regulations” substitute—

““Ophthalmic Regulations” means the National Health Service (Ophthalmic Services) (Wales) Regulations 2023;”;

(c) omit the definition of “Part II service”;

(d) in the definition of “patient”, for “Part II service” substitute “relevant service”;

(e) at the appropriate place insert—

““primary ophthalmic services” has the meaning given in regulation 4 of the Ophthalmic Regulations;”;

““relevant service” means pharmaceutical services provided under the National Health Service (Wales) Act 2006 or primary ophthalmic services;”.

(3) In regulation 2(4) (interpretation), for sub-paragraph (d) substitute—

“(d) paragraphs 19 and 20 of Schedule 4 to the National Health Service (Ophthalmic Services) (Wales) Regulations 2023.”.

(4) In regulation 4(5) (provisions relating to the start of disciplinary proceedings), for “Part II services” substitute “relevant services”.

(5) In regulation 20(3) (power of Local Representative Committees to consider complaints), for “general ophthalmic services” substitute “primary ophthalmic services or other ophthalmic services pursuant to arrangements with Local Health Boards under the National Health Service (Wales) Act 2006”.

The National Health Service Pension Scheme Regulations 1995

2.—(1) The National Health Service Pension Scheme Regulations 1995⁽²⁾ are amended as follows.

(2) In regulation A2 (interpretation), for paragraph (b) of the definition of “ophthalmic provider” substitute—

“(b) as regards Wales, is included in an ophthalmic list (as defined in regulation 10(2)(a) of the National Health Service (Ophthalmic Services) (Wales) Regulations 2023) prepared

(1) S.I. 1992/664.

(2) S.I. 1995/300.

Status: This is the original version (as it was originally made).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

and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations;”.

The National Health Service (Optical Charges and Payments) Regulations 1997

3.—(1) The National Health Service (Optical Charges and Payments) Regulations 1997(3) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) for the definition of “ophthalmic list” substitute—

““ophthalmic list” means the list defined in regulation 10(2)(a) of the Ophthalmic Services Regulations, prepared and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations;”;

(b) for the definition of “Ophthalmic Services Regulations” substitute—

““Ophthalmic Services Regulations” means the National Health Service (Ophthalmic Services) (Wales) Regulations 2023;”;

(c) for the definition of “supplementary list” substitute—

““supplementary list” means the list defined in regulation 10(2)(b) of the Ophthalmic Services Regulations, prepared and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations;”.

(3) In regulation 9(1) (issue of vouchers by ophthalmic medical practitioners or opticians), in the words after paragraph (b) omit “paragraph 10(1) of Schedule 1 of”.

The National Health Service Pension Scheme Regulations 2008

4.—(1) The National Health Service Pension Scheme Regulations 2008(4) are amended as follows.

(2) In regulation 2.A.1 (interpretation: general), for paragraph (b) of the definition of “ophthalmic provider” substitute—

“(b) as regards Wales, is included in an ophthalmic list (as defined in regulation 10(2)(a) of the National Health Service (Ophthalmic Services) (Wales) Regulations 2023) prepared and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations;”.

(3) In regulation 3.A.1 (interpretation of Part 3: general), for paragraph (b) of the definition of “ophthalmic provider” substitute—

“(b) as regards Wales, is included in an ophthalmic list (as defined in regulation 10(2)(a) of the National Health Service (Ophthalmic Services) (Wales) Regulations 2023) prepared and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations;”.

The National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011

5.—(1) Regulation 2(1) of the National Health Service (Concerns, Complaints and Redress Arrangements) (Wales) Regulations 2011(5) is amended as follows.

(2) In the definition of “primary care provider”, for paragraph (e) substitute—

(3) S.I. 1997/818.

(4) S.I. 2008/653.

(5) S.I. 2011/704 (W. 108).

“(e) provides ophthalmic services, including primary ophthalmic services, in accordance with arrangements under the 2006 Act;”.

(3) In the definition of “relevant complaints procedure”, for sub-paragraph (iv) of paragraph (c) substitute—

“(iv) paragraph 19 of Schedule 4 to the National Health Service (Ophthalmic Services) (Wales) Regulations 2023;”.

(4) At the appropriate place insert—

““primary ophthalmic services” (“*gwasanaethau offthalmig sylfaenol*”) has the meaning given in regulation 4 of the National Health Service (Ophthalmic Services) (Wales) Regulations 2023;”.

The Safeguarding Vulnerable Groups Act 2006 (Miscellaneous Provisions) Order 2012

6.—(1) Article 5 of the Safeguarding Vulnerable Groups Act 2006 (Miscellaneous Provisions) Order 2012⁽⁶⁾ is amended as follows.

(2) In paragraph (a), in the definition of “practice premises”, for the words from “the address which is included” to “services are provided” substitute—

“registered premises in relation to a contractor as defined in the National Health Service (Ophthalmic Services) (Wales) Regulations 2023”.

(3) In paragraph (b), in the definition of “mobile services”, for “National Health Service (General Ophthalmic Services) Regulations 1986” substitute “National Health Service (Ophthalmic Services) (Wales) Regulations 2023”.

The National Health Service Pension Scheme Regulations 2015

7.—(1) Regulation 166(10) (medical practitioner) of the National Health Service Pension Scheme Regulations 2015⁽⁷⁾ is amended as follows.

(2) For paragraph (b) substitute—

“(b) in Wales, is included in an ophthalmic list (as defined in regulation 10(2) of the National Health Service (Ophthalmic Services) (Wales) Regulations 2023) prepared and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations.”.

⁽⁶⁾ S.I. 2012/2113.

⁽⁷⁾ S.I. 2015/94.