

1991 No. 115

HEALTH AND PERSONAL SOCIAL SERVICES**Optical Charges and Payments (Miscellaneous Amendments) Regulations (Northern Ireland) 1991**

Made 21st March 1991

Coming into operation 1st April 1991

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 98 and 106 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel(b), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Optical Charges and Payments (Miscellaneous Amendments) Regulations (Northern Ireland) 1991 and shall come into operation on 1st April 1991.

(2) In these regulations, “the principal regulations” means the Optical Charges and Payments Regulations (Northern Ireland) 1989(c).

Amendment of regulation 1 of the principal regulations

2. In regulation 1(2) of the principal regulations (interpretation)—

(a) in the definition of “complex appliance”—

(i) in sub-paragraph (b) for “lens;” there is substituted “lens, or”; and

(ii) after sub-paragraph (b) there is added the following sub-paragraph—

“(c) is a prism-controlled bifocal lens;”.

Amendment of regulation 2 of the principal regulations

3. In regulation 2 of the principal regulations (charges for optical appliances supplied by a Board)—

(a) in paragraph (3) for “£26·50” there is substituted “£32·15”; and

(b) in paragraph (5)(b) for “£32·00” and “£52·00” in both places where they occur there is substituted “£38·85” and “£63·15” respectively.

(a) S.I. 1972/1265 (N.I. 14); the relevant amending Order in Council is S.I. 1984/1158 (N.I. 8)

(b) Formerly Department of Finance: see S.I. 1982/338 (N.I. 6) Art. 3

(c) S.R. 1989 No. 114 as amended by S.R. 1990 No. 99

Amendment of regulation 20 of the principal regulations

4. In regulation 20 of the principal regulations (redemption value of voucher for replacement or repair)—

- (a) in paragraph (1)(b) for “£28·85” there is substituted “£32·15”; and
- (b) in paragraph (3) for “£7·70” there is substituted “£8·20”.

Amendment of Schedules to the principal regulations

5.—(1) In Schedule 1 to the principal regulations (voucher letter codes and face values — supply and replacement) in column 1 (type of optical appliance)—

- (a) in paragraph 3—
 - (i) in sub-paragraph (b) for “exceeding 10 dioptries” there is substituted “of 10 or more dioptries”, and
 - (ii) in sub-paragraph (c) for “not exceeding 10 dioptries” there is substituted “of less than 10 dioptries”; and
- (b) in paragraph 6—
 - (i) for “prism segment bifocal lenses” there is substituted “prism-controlled bifocal lenses”,
 - (ii) in sub-paragraph (b) for “exceeding 10 dioptries” there is substituted “of 10 or more dioptries”, and
 - (iii) in sub-paragraph (c) for “not exceeding 10 dioptries” there is substituted “of less than 10 dioptries”.

(2) In column 3 of Schedule 1 to the principal regulations (face value of voucher) for each amount specified in column 1 of the Table below (old amount) there shall be substituted the amount specified in relation to it in column 2 of that Table (new amount).

TABLE

| Column 1 <i>Old amount</i> | Column 2 <i>New amount</i> |
|--|-------------------------------|
| £ 18·00 | £ 19·30 |
| £ 28·75 | £ 30·50 |
| £ 47·00 | £ 48·00 |
| £ 34·75 | £ 37·00 |
| £ 59·75 | £ 61·00 |
| £100·00 (in both places where it appears) | £102·00 |
| £ 28·85 | £ 32·15 |

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

- (a) in paragraph 1(1)(a) (prism — single vision lens) for “£4·00” there is substituted “£4·10”;

- (b) in paragraph 1(1)(b) (prism — other lens) for “£5.00” there is substituted “£5.10”;
 - (c) in paragraph 1(1)(c) (single vision tinted lens) for “£2.00” there is substituted “£2.05”;
 - (d) in paragraph 1(1)(d) (other tinted lens) for “£2.50” there is substituted “£2.55”;
 - (e) in paragraph 1(1)(e) (small glasses)—
 - (i) in sub-head (i) for “£34.50” there is substituted “£35.20”,
 - (ii) in sub-head (ii) for “£30.70” there is substituted “£31.30”, and
 - (iii) in sub-head (iii) for “£16.60” there is substituted “£16.90”;
 - (f) in paragraph 1(1)(f) (photochromic lenses) for “£2.00” there is substituted “£2.05” and for “£2.50” there is substituted “£2.55”;
 - (g) in paragraph 1(1)(g) (specially manufactured frames) for “£34.50” there is substituted “£35.20”;
 - (h) in paragraph 2(a) (mimimum complex appliance payment — single vision lenses) for “£3.50” there is substituted “£3.60”; and
 - (i) in paragraph 2(b) (minimum complex appliance payment — other cases) for “£18.75” there is substituted “£19.25”.
- (4) For Schedule 3 to the principal regulations (voucher values — repair) there is substituted the Schedule 3 set out in the Schedule.

Amendment of the General Ophthalmic Services Regulations (Northern Ireland) 1986

6. In regulation 2(1) of the Ophthalmic Services Regulations(a) (interpretation) in the definition of “complex appliance”—

- (a) in sub-paragraph (ii) for “lens;” there is substituted “lens, or”;
- (b) after sub-paragraph (ii) there is added the following sub-paragraph—
“(iii) is a prism-controlled bifocal lens;”.

Application of regulations

7. The amendments made by regulations 3, 4 and 5(2), (3) and (4) and the Schedule apply only in relation to a voucher—

- (a) accepted or used on or after 1st April 1991 pursuant to regulation 12 or regulation 18 of the principal regulations; or
- (b) sent to the Agency pursuant to regulation 14(2)(c) of the principal regulations in respect of cost incurred on or after that date.

Sealed with the Official Seal of the Department of Health and Social Services on 21st March 1991.

(L.S.)

J. Scott

Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel
on 22nd March 1991.

(L.S.)

Doreen Brown

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Optical Charges and Payments Regulations (Northern Ireland) 1989 ("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. An associated amendment is also made to the General Ophthalmic Services Regulations (Northern Ireland) 1986 (the "Ophthalmic Services Regulations").

Regulation 2 amends the definition of "complex appliance" to include an optical appliance at least one lens of which is a prism-controlled bifocal lens (regulation 6 similarly amends the definition of "complex appliance" in the Ophthalmic Services Regulations) and regulation 5(1)(b)(i) makes a consequential amendment to the specifications of appliances for which vouchers may be used. Regulation 5(1)(a) and (b)(ii) and (iii) clarify the specifications of appliances to which vouchers with letter Codes C and F apply.

The regulations also amend Schedule 1 to, and substitute a new Schedule 3 in, the principal regulations to increase by an average of 6.00 per cent. (11.5 per cent. in the case of contact lenses) the value of vouchers issued in respect of the cost of the supply and replacement of glasses and contact lenses (regulation 5(2)) and of the repair or replacement of appliances (regulation 5(4) and the Schedule). Regulation 3 amends regulation 2 of the principal regulations to increase the amounts specified in relation to contact lenses and glasses supplied by a Board.

Regulation 4 makes consequential amendments to regulation 20 of the principal regulations (redemption value of voucher for replacement or repair). Regulation 5(3) increases the additional values for vouchers in respect of prisms, tints, photochromic lenses and special categories of appliances.