

STATUTORY INSTRUMENTS

1989 No. 1230

The Sight Testing (Examination and Prescription) (No. 2) Regulations 1989

Examination

3.—(1) Subject to the exceptions specified in ^{F1}[^{F2}paragraphs (2) and (3)], when a doctor or [^{F3}optometrist] tests the sight of another person, it shall be his duty—

- (a) to perform, for the purpose of detecting signs of injury, disease or abnormality in the eye or elsewhere—
 - (i) an examination of the external surface of the eye and its immediate vicinity,
 - (ii) an intra-ocular examination, either by means of an ophthalmoscope or by such other means as the doctor or [^{F3}optometrist] considers appropriate,
 - (iii) such additional examinations as appear to the doctor or [^{F3}optometrist] to be clinically necessary; and
- (b) immediately following the test to give to the patient a written statement—
 - (i) that he has carried out the examinations required by sub-paragraph (a) of this paragraph, and
 - (ii) that he is or (as the case may be) is not referring the patient to a doctor, [^{F4}and
 - (iii) if he is referring the patient to a doctor, setting out the reason for the referral.].

(2) The provisions of paragraph (1) do not apply where the testing of sight is carried out by a doctor at a hospital or clinic in the course of diagnosing or treating injury or disease of the eye.

[^{F5}(3) In England, the provisions of paragraph (1)(b)(ii) do not apply where the doctor or [^{F3}optometrist] refers the patient to an ophthalmic hospital, [^{F6}in accordance with regulation 13(3) of the General Ophthalmic Contracts Regulations 2008.]]

[^{F7}(3) In Scotland, the provisions of paragraphs (1)(b)(ii) do not apply where the doctor or optometrist refers the patient to an ophthalmic hospital, in accordance with paragraph 14(4) of Schedule 1 to the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006.]

Textual Amendments

- F1** Words in [reg. 3\(1\)](#) substituted (S.) (1.4.2006) by [The Sight Testing \(Examination and Prescription\) Amendment \(Scotland\) Regulations 2006 \(S.S.I. 2006/134\)](#), [regs. 1\(1\), 2\(2\)](#)
- F2** Words in [reg. 3\(1\)](#) substituted (E.) (1.4.2005) by [The National Health Service \(General Ophthalmic Services Supplementary List\) and \(General Ophthalmic Services Amendment and Consequential Amendment\) Regulations 2005 \(S.I. 2005/480\)](#), [regs. 1\(1\), 42\(a\)](#)
- F3** Word in [Regulation](#) substituted (30.6.2005 as notified in the London Gazette dated 3.6.2005) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [Sch. 1 para. 22\(b\)](#)
- F4** [Reg. 3\(1\)\(b\)\(iii\)](#) and word added (30.6.2005 as notified in the London Gazette dated 3.6.2005) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [Sch. 1 para. 22\(c\)](#)

Changes to legislation: There are currently no known outstanding effects for the *The Sight Testing (Examination and Prescription) (No. 2) Regulations 1989, Section 3.* (See end of Document for details)

- F5** Reg. 3(3) added (E.) (1.4.2005) by The National Health Service (General Ophthalmic Services Supplementary List) and (General Ophthalmic Services Amendment and Consequential Amendment) Regulations 2005 (S.I. 2005/480), regs. 1(1), **42(b)**
- F6** Words in reg. 3(3) substituted (E.) (1.8.2008) by The Primary Ophthalmic Services Amendment, Transitional and Consequential Provisions Regulations 2008 (S.I. 2008/1700), reg. 1(2), **Sch. 1 para. 1**
- F7** Reg. 3(3) inserted (S.) (1.4.2006) by The Sight Testing (Examination and Prescription) Amendment (Scotland) Regulations 2006 (S.S.I. 2006/134), regs. 1(1), **2(3)**

Commencement Information

- I1** Reg. 3 in force at 31.7.1989, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Sight Testing (Examination and Prescription) (No. 2) Regulations 1989, Section 3.