
STATUTORY INSTRUMENTS

1996 No. 2320

**NATIONAL HEALTH SERVICE,
ENGLAND AND WALES**

**The National Health Service (General Ophthalmic
Services) Amendment (No. 2) Regulations 1996**

Made - - - - *7th September 1996*
Laid before Parliament *16th September 1996*
Coming into force - - *7th October 1996*

The Secretary of State for Health, in exercise of powers conferred on him by sections 38 and 126(4) of the National Health Service Act 1977(1) and of all other powers enabling him in that behalf, hereby makes the following Regulations: —

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (General Ophthalmic Services) Amendment (No. 2) Regulations 1996 and shall come into force on 7th October 1996.

(2) In these Regulations, “the principal Regulations” means the National Health Service (General Ophthalmic Services) Regulations 1986(2).

Amendment of regulation 2 of the principal Regulations

2. In regulation 2(1) of the principal Regulations (interpretation), after the definition of “general ophthalmic services”(3) insert —

““an income-based jobseeker’s allowance” has the meaning given to it by section 1(4) of the Jobseekers Act 1995;(4)

(1) 1977 c. 49; see section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i), for the definitions of “prescribed” and “regulations”. Section 38 was amended by the Health Services Act 1980 (c. 53), section 1 and Schedule 1, paragraph 51; by the Health and Social Security Act 1984 (c. 48), section 1(3); by S.I. 1985/39, article 7(11); by the Health and Medicines Act 1988 (c. 49), section 13(1); and by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 27. Section 126(4) was amended by the 1990 Act, section 65(2).

(2) S.I. 1986/975; relevant amending instruments are S.I. 1989/395 and 1995/558.

(3) The definition of “general ophthalmic services” was inserted by S.I. 1989/395.

(4) 1995 c. 18.

Amendment of regulation 13 of the principal Regulations

3.—(1) Regulation 13 of the principal Regulations (sight tests-eligibility)(5) is amended as follows.

(2) In paragraph (2) —

(a) in sub-paragraph (g), omit the words from “and his” to the end; and

(b) after sub-paragraph (h), add —

“(i) he is in receipt of an income-based jobseeker’s allowance; or

(j) he is a member of the same family as a person described in sub-paragraph (i) of this paragraph.”.

(3) In paragraph (3), after sub-paragraph (c), add —

“and has the meaning given to it by section 35 of the Jobseekers Act 1995(6) in the case of paragraph (2)(j).”.

7th September 1996

Gerald Malone
For the Secretary of State for Health

(5) Regulation 13 was substituted by S.I. 1989/395 and amended by S.I. 1995/558.

(6) See S.I. 1996/207, regulations 76 to 78 as amended by S.I. 1996/1516 and 1517.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service (General Ophthalmic Services) Regulations 1986 ([S.I. 1986/975](#)) (“the 1986 Regulations”).

Regulation 2 of these Regulations amends regulation 2(1) of the 1986 Regulations in order to include a definition of an income-based jobseeker’s Allowance.

Regulation 3(2)(a) of these Regulations removes the capital restriction relating to Disability Working Allowance so that everyone in receipt of this, and certain of their relatives, will be eligible for general ophthalmic services.

Regulation 3(2)(b) and (3) of these Regulations extends the categories of eligibility for general ophthalmic services to include people in receipt of an Income-based Jobseeker’s Allowance, and also certain relatives of such people.