
STATUTORY INSTRUMENTS

2008 No. 1700

The Primary Ophthalmic Services Amendment, Transitional and Consequential Provisions Regulations 2008

PART 1

GENERAL

Citation, commencement and application

1.—(1) These Regulations may be cited as the Primary Ophthalmic Services Amendment, Transitional and Consequential Provisions Regulations 2008 and come into force on 1st August 2008.

(2) These Regulations apply in relation to England.

Interpretation

2.—(1) In these Regulations—

“the 1977 Act” means the National Health Service Act 1977⁽¹⁾;

“the 1986 Regulations” means the National Health Service (General Ophthalmic Services) Regulations 1986⁽²⁾;

“the 2006 Act” means the National Health Service Act 2006⁽³⁾;

“the Complaints Regulations” means the National Health Service (Complaints) Regulations 2004⁽⁴⁾.

“the Contracts Regulations” means the General Ophthalmic Services Contracts Regulations 2008⁽⁵⁾;

“general ophthalmic services contract” means a contract under section 117 of the 2006 Act (general ophthalmic services contracts: introductory);

“ophthalmic list” means the list of persons that had effect on and before 31st July 2008 who undertook to provide general ophthalmic services for persons in a PCT’s area kept by a PCT under regulations made under section 39(1)(a) of the 1977 Act⁽⁶⁾;

“ophthalmic practitioner” means a person who was included in an ophthalmic list;

“Optical Charges Regulations” means the National Health Service (Optical Charges and Payments) Regulations 1997⁽⁷⁾;

(1) 1977 c.49.

(2) S.I. 1986/975.

(3) 2006 c. 41.

(4) S.I. 2004/1768; relevant amendments are S.I. 2006/562 and 2084 and 2007/1898.

(5) S.I. 2008/1185.

(6) Section 39(1)(a) was substituted by the National Health Service Reform and Health Care Professions Act 2002, s. 2(5) and Schedule 2, paras 1 and 12.

(7) S.I. 1997/818; amended by S.I. 1999/609, 2000/5934, 2001/414, 3066 and 3323, 2002/547 and 1306, 2003/657 and 2381, 2004/642, 936 and 1138, 2005/818, 2006/479 and 3123, 2007/542 and 3289 and 2008/553.

Status: This is the original version (as it was originally made).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

“PCT” means a Primary Care Trust;

“the Statement” means the Statement of remuneration of ophthalmic practitioners determined and published by the Secretary of State under regulation 10 of the 1986 Regulations⁽⁸⁾, as it had effect on 31st July 2008; and

“the Transitional Regulations” means the Primary Ophthalmic Services Transitional Provisions Regulations 2008⁽⁹⁾.

(2) In this Order, the use of the term “it” in relation to a contractor or ophthalmic practitioner includes a reference to a contractor or ophthalmic practitioner that is an individual or two or more individuals practising in partnership and related expressions shall be construed accordingly.

⁽⁸⁾ Regulation 10 was amended by S.I. 2001/3739, 2002/2469 and 2005/1481; the Statement is available on www.dh.gov.uk.

⁽⁹⁾ S.I. 2008/1209.