

2008 No. 553

NATIONAL HEALTH SERVICE, ENGLAND

**The National Health Service (Optical Charges and Payments)
Amendment Regulations 2008**

<i>Made</i>	- - - -	<i>27th February 2008</i>
<i>Laid before Parliament</i>		<i>6th March 2008</i>
<i>Coming into force</i>	- -	<i>1st April 2008</i>

The Secretary of State for Health makes the following Regulations in exercise of the powers conferred by section 126(4) of, and paragraph 2A of Schedule 12 to, the National Health Service Act 1977(a).

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) Amendment Regulations 2008 and shall come into force on 1st April 2008.

(2) These Regulations apply in relation to England.

(3) In these Regulations “the Optical Regulations” means the National Health Service (Optical Charges and Payments) Regulations 1997(b).

Amendment to the Optical Regulations

2. Regulation 19 of the Optical Regulations (redemption value of voucher for replacement or repair) is amended as follows—

(a) in paragraph (1)(b), for “£50.50” substitute “£51.90”; and

(b) in paragraph (3), for “£13.00” substitute “£13.40”.

(a) 1977 c. 49; section 126(4) was amended by the National Health Service and Community Care Act 1990 (c.19), section 65(2); the Health Act 1999 (c.8), section 65(1) and Schedule 4, paragraphs 3 and 37; the Health and Social Care Act 2001 (c.15), section 67(1) and Schedule 5, paragraph 5; the National Health Service Reform and Health Care Professions Act 2002 (c.15) sections 6(3)(c) and 37(1) and Schedule 8, paragraphs 1 and 10; and the Health and Social Care (Community Health and Standards) Act 2003 (c.43), sections 184 and 196 and Schedule 4, paragraphs 3 and 37. Paragraph 2A of Schedule 12 was inserted by the Health and Social Security Act 1984 (c.48), section 1(6) and paragraph 3 of Schedule 1 and amended by the Health and Medicines Act 1988 (c.49), section 13. The ophthalmic provisions of the 1977 Act will be repealed and replaced by the corresponding provisions of the National Health Service Act 2006 (“the 2006 Act”) when the relevant provisions of the Health Act 2006 (c.28) come into force, but they have not yet done so – see section 277(3)(j) and (4) of the 2006 Act. As regards Wales, the functions of the Secretary of State under sections 29 and 126(4) of the 1977 Act were transferred to the National Assembly for Wales under article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672; section 68 of the 2001 Act provides that Schedule 1 shall be construed so as to include the amendments made by that Act to the 1977 Act; these Regulations therefore apply only to England.

(b) S.I. 1997/818; relevant amendments are S.I. 1999/609, 2000/5934, 2002/547, 2003/657, 2004/642 and 1138, 2005/483, 2006/479 and 2007/542.

Amendments to the Schedules to the Optical Regulations

3.—(1) Schedules 1 to 3 of the Optical Regulations are amended in accordance with the following provisions of this regulation.

(2) In Schedule 1 (voucher letter codes and face values-supply and replacement)—

- (a) omit paragraph 10 (including columns (2) and (3) of that paragraph); and
- (b) in column (3) of the table (face value of voucher), for each amount specified in column (1) of the table below substitute the amount specified in relation to it in column (2) of the table below:

<i>(1)</i> <i>Old amount</i>	<i>(2)</i> <i>New amount</i>
£34.60	£35.50
£52.60	£54.00
£76.90	£79.00
£173.70	£178.40
£59.80	£61.40
£76.00	£78.10
£98.50	£101.20
£190.90	£196.10
£177.90	£182.70.

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

- (a) in paragraph 1(1)(a), for “£11.30” substitute “£11.60”;
- (b) in paragraph 1(1)(b), for “£13.50” substitute “£13.90”;
- (c) in paragraph 1(1)(c), for “£3.80” substitute “£3.90”;
- (d) in paragraph 1(1)(d), for “£4.30” substitute “£4.40”;
- (e) in paragraph 1(1)(e), for “£57.00”, “£50.50” and “£27.30” substitute “£58.50”, “£51.90” and “£28.00” respectively;
- (f) in paragraph 1(1)(g), for “£57.00” substitute “£58.50”;
- (g) in paragraph 2(a), for “£13.00” substitute “£13.40”; and
- (h) in paragraph 2(b), for “£33.00” substitute “£33.90”.

(4) For Schedule 3 (voucher values-repair), substitute the Schedule 3 set out in the Schedule to these Regulations.

Transitional Provision

4. The amounts substituted by regulations 2 and 3 shall apply only in relation to a voucher accepted or used pursuant to regulation 12 or regulation 17 of the Optical Regulations on or after 1st April 2008.

Signed by authority of the Secretary of State for Health.

27th February 2008

Ann Keen
Parliamentary Under-Secretary of State,
Department of Health

SCHEDULE

Regulation 3(3)

SCHEDULE 3 TO THE OPTICAL REGULATIONS AS
SUBSTITUTED BY THESE REGULATIONS

“SCHEDULE 3

Regulation 19(2) and (3)

VOUCHER VALUES REPAIR

<i>(1)</i> <i>Nature of Repair</i>	<i>(2)</i> <i>Letter of Codes - Values</i>									
	A	B	C	D	E	F	G	H	I	
	£	£	£	£	£	£	£	£	£	£
Repair or replacement of one lens	11.05	20.30	32.80	82.50	24.00	32.35	43.90	91.35	84.65	
Repair or replacement of two lenses	22.10	40.60	65.60	165.00	48.00	64.70	87.80	182.70	169.30	
Repair or replacement of: The front of a frame	11.35	11.35	11.35	11.35	11.35	11.35	11.35	11.35	11.35	11.35
A side of a frame	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
The whole frame	13.40	13.40	13.40	13.40	13.40	13.40	13.40	13.40	13.40	13.40.”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (Optical Charges and Payments) Regulations 1997 (“the Optical 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.

Regulation 2 amends regulation 19 to increase the redemption value of a voucher issued towards the cost of replacement of a single contact lens and to increase the maximum contribution by way of voucher to the cost of a repair of a frame.

Regulation 3 and the Schedule amend the Schedules to the Optical Regulations to increase the value of vouchers issued towards the costs of the supply and replacement of glasses and contact lenses, to increase the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances and to increase the value of vouchers issued towards the cost of the repair and replacement of optical appliances. The rate of increase in the value of vouchers in these Regulations is approximately 2.7%.

A full Impact Assessment has not been produced for this Instrument as it has no impact on the cost of business, charities or voluntary bodies.

£3.00

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