
STATUTORY INSTRUMENTS

2013 No. 461

**The National Health Service (Optical
Charges and Payments) Regulations 2013**

PART 5

**PAYMENTS FOR COST OF REPLACEMENT
OR REPAIR OF OPTICAL APPLIANCES**

Eligibility for a voucher – replacement or repair

16.—(1) A payment must be made as provided for by this Part to meet, or contribute towards, any cost accepted by the Board as having been incurred for the replacement or repair of an optical appliance for which the condition in paragraph (3) is met.

(2) The payment referred to in paragraph (1) must be made whether or not the cost was incurred by way of a charge under the 2006 Act.

(3) The condition referred to in paragraph (1) is that a prescription is given for the optical appliance in consequence of the sight test of a person who, at the time the cost is incurred for the replacement or repair—

- (a) is under the age of 16 years, where the appliance needs replacement or repair as a result of loss or damage;
- (b) is a person of any description specified in regulation 8(2)(b), (c), (d), or (e) who is suffering from illness, where the appliance needs replacement or repair as a result of loss or damage and the Board is satisfied, after making such enquiries as it considers relevant, that the loss or damage would not have occurred but for that illness; or
- (c) is a relevant child within the meaning of section 23A of the Children Act 1989⁽¹⁾ (the responsible authority and relevant children) whom a responsible local authority is supporting under section 23B of that Act (additional responsibilities of the responsible authority in respect of relevant children).

(4) No payment must be made under this Part unless the Board is satisfied, after making such enquiries as it considers relevant, that the full cost of replacement or repair cannot be met under the terms of any warranty, insurance or other arrangement made with the supplier or manufacturer.

(1) 1989 c.41. Section 23A was inserted by section 2 of the Children (Leaving Care) Act 2000 (c.35) and amended by paragraphs 1 and 8 of Schedule 3 to the Children and Young Persons Act 2008 (c.23).