SCOTTISH STATUTORY INSTRUMENTS

2004 No. 36

NATIONAL HEALTH SERVICE

The National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2004

Made - - - -	*2nd February 2004*
Laid before the Scottish Parliament - - - -	*3rd February 2004*
Coming into force - -	*4th March 2004*

The Scottish Ministers, in exercise of the powers conferred by sections 26, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2004 and shall come into force on 4th March 2004.

Amendment of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986

2.—(1) The National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986(**2**) are amended as follows.

(2) In regulation 6(1) (ophthalmic list)(**3**)–

(a) for "30(1), 31" substitute "29B(2), 30(2) or (5), 31(1)(b)(**4**)"; and

(**1**) 1978 c. 29; section 26 was amended by the Health and Social Security Act 1984 (c. 48), section 1(5) and (7), section 13(4), Schedule 1, Part II, paragraphs 1 to 4 and Schedule 8, was extended by the Health and Medicines Act 1988 (c. 49), section 17 and amended by the Health Act 1999 (c. 9), section 56; section 105(7), which contain provisions relevant to the making regulations, was amended by the Health Services Act 1980 (c. 53), Schedule 6, paragraph 5 and Schedule 7 and by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 9, paragraph 24; section 108(1) contains definitions of "prescribed" and "regulations" relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I.1986/965. Relevant amending instruments are S.I. 1988/543, 1996/843, 1999/725 and S.S.I. 1999/55 and 2001/62.

(**3**) Regulation 6(1) was substituted by S.I. 1988/543 and amended by S.I. 1996/843 and S.S.I. 1999/55.

(**4**) Section 29B was inserted by the Health Act 1999 (c. 8) ("the 1999 Act"), Section 58(1) and amended by the Community Care and Health (Scotland) Act 2002 asp 5 ("the 2002 Act"), schedule 2, paragraph 2(6). Section 30 was inserted by the 1999 Act, section 58(2) and amended by the 2002 Act, schedule 2, paragraph 2(7). Section 31 was renumbered section 31(1) by the 1999 Act, Schedule 4, paragraph 49.