SCOTTISH STATUTORY INSTRUMENTS

2002 No. 86

NATIONAL HEALTH SERVICE

The National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Scotland) Amendment Regulations 2002

Made - - - - 5th March 2002
Laid before the Scottish Parliament - - - - 6th March 2002
Coming into force in accordance with regulation 1(2) and (3)

The Scottish Ministers, in exercise of the powers conferred by sections 26, 70(1), 73(a), 74(a), 105(7) and 108(1) of, and paragraphs 2 and 2A of Schedule 11 to, 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.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Scotland) Amendment Regulations 2002.

(2) These Regulations, except for regulations 2(2) and 4, shall come into force on 1st April 2002.

(3) Regulations 2(2) and 4 of these Regulations shall come into force on 9th April 2002.

Amendment of the National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998

2.—(1) The National Health Service (Optical Charges and Payments) (Scotland) Regulations 1998(**2**) are amended as follows.

(**1**) 1978 (c. 29); section 26 was amended by the Health and Social Security Act 1984 ("the 1984 Act"), section 1(5), Schedule 1, Part II, paragraphs 1 to 4 and Schedule 8 and by the Health and Medicines Act 1988 (c. 49) ("the 1988 Act"), section 13(4); section 70(1) was amended by the 1988 Act, Schedule 3; section 105(7) 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; paragraph 2(1) of Schedule 11 was substituted by the 1988 Act, Schedule 2, paragraph 15(1); and paragraph 2A of Schedule 11 was inserted by the 1984 Act, Schedule 1, Part II, paragraph 7 and amended by the 1988 Act, section 13(2) and (5). The functions of the Secretary of State were transferred to Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) S.I.1998/642, amended by S.I. 1999/748, S.S.I. 1999/64, 2000/45 and 395, 2001/88 and 2002/17.

(2) In regulation 8(3) (eligibility – supply of optical appliances)(**3**), in each of sub-paragraphs (c), (d) and (g) for "£71" there is substituted "£72.20".

(3) In regulation 19 (redemption value of voucher for replacement or repair)–

(a) in paragraph (1)(b) for "£43.90" there is substituted "£44.60";

(b) in paragraph (3)(a) for "£11.30" there is substituted "£11.50"; and

(c) in paragraph (3)(b) for "£49.40" there is substituted "£50.20".

(4) In Schedule 1 (voucher letter codes and face values – supply and replacement)(**4**) in column 3 (face value of voucher) for each amount specified in column 1 of the Table below (old amount) there is substituted the amount specified in relation to it in column 2 of that Table (new amount).

TABLE

Column 1 *Old amount*	*Column 2* *New amount*
£30.00	£30.50
£45.60	£46.40
£62.10	£63.20
£140.30	£142.70
£51.80	£52.70
£65.90	£67.00
£79.60	£81.00
£154.30 (in both places where it appears)	£157.00
£43.90	£44.60

(5) For Schedule 2 (voucher values - repair)(**5**), there is substituted the Schedule 2 set out in the Schedule to these Regulations.

(6) In Schedule 3 (prisms, tints, photochromic lenses, small glasses and special frames and complex appliances)–

(a) in paragraph 1(1)(a) (single vision lens with prism) for "£6.30" there is substituted "£9.90";

(b) in paragraph 1(1)(b) (other lens with prism) for "£7.20" there is substituted "£11.90";

(c) in paragraph 1(1)(c) (single vision tinted lens) for "£3.20" there is substituted "£3.30";

(d) in paragraph 1(1)(d) (other tinted lens) for "£3.70" there is substituted "£3.80";

(e) in paragraph 1(1)(e) (small glasses)–

(i) in sub-head (i) for "£49.40" there is substituted "£50.20";

(ii) in sub-head (ii) for "£43.90" there is substituted "£44.60"; and

(iii) in sub-head (iii) for "£23.80" there is substituted "£24.20";

(f) in paragraph 1(1)(g) (specially manufactured frame) for "£49.40", "£43.90" and "£23.80" there are substituted "£50.20", "£44.60" and "£24.20" respectively;

(**3**) Regulation 8 was amended by S.I. 1999/748 and S.S.I. 1999/64 and 2001/88.
(**4**) Schedule 1 was substituted by S.I. 1999/748, and subsequently amended by S.S.I. 1999/64, 2000/45 and 2001/88.
(**5**) Schedule 2 was substituted by S.I. 2001/45.