WELSH STATUTORY INSTRUMENTS

2003 No. 837 (W.106)

NATIONAL HEALTH SERVICE, WALES

The National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003

Made - - - - 18th March 2003

Coming into force - - 1st April 2003

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 38, 39 and 126(4) of the National Health Service Act 1977(**1**) hereby makes the following Regulations:

Citation, commencement, application and effect

1.—(1) These Regulations may be cited as the National Health Service (General Ophthalmic Services) (Amendment) (Wales) Regulations 2003 and shall come into force on 1st April 2003.

(2) These Regulations apply to Wales only.

(3) The National Health Service (General Opthalmic Services) Regulations 1986(**2**) shall be amended in accordance with the following provisions of these Regulations.

Amendment of paragraph 8A of Schedule 1

2. Paragraph 8A of Schedule 1 (Complaints) shall be amended in accordance with the following paragraphs—

(a) in paragraph (7)(b)(ii) for the word "three", substitute the word "two"; and

(**1**) 1977 c. 49; *see* section 128(1) as amended by the National Health Service and Community Care Act 1990 (c. 19) ("the 1990 Act"), section 26(2)(g) and (i), for the definitions of "prescribed" and "regulations".
Section 38 was amended by the Health and Medicines Act 1988 (c. 49), section 13; by S.I. 1985/39, article 7; the Health Authorities Act 1995 (c. 17) ("the 1995 Act"), section 2(1), Schedule 1, paragraph 27, and the Health and Social Security Act 1984 (c. 48) ("the 1984 Act"), section 1.
Section 39 was amended by the Health and Social Care Act 2001 (c. 15) ("the 2001 Act"), sections 20(1), (5)(a)(b) and 23(1), (4); the National Health Service Reform and Health Care Professions Act 2002 (c. 17) ("the 2002 Act"), section 2(5), Schedule 2, Part 1, paragraphs 1, 12(1), (2) and (4)(b); the Health Act 1999 (c. 8) ("the 1999 Act"), section 9(4); the Health Services Act 1980 (c. 53), sections 1 and 2, Schedule 1, Part 1, paragraph 52; the 1984 Act, section 1, Schedule 1, Part 1, and section 24, Schedule 8, Part 1, and the 1995 Act, section 2(1), Schedule 1, paragraph 28.
Section 126(4) was amended by the 1990 Act, section 65(2); by the 1999 Act, section 65(1), Schedule 4, paragraphs 4, 37(1) and (6); the 2001 Act, section 67(1), Schedule 5, Part 1, paragraphs 5(1) and 13(b) and by the 2002 Act, section 6(3)(c).
As regards Wales, the functions of the Secretary of State under sections 38, 39 and 126(4) of the National Health Service Act are 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.

(**2**) S.I. 1986/975, the relevant amending instrument is S.I.1996/705 which inserts paragraphs 8A, B and C into Schedule 1 to the principal Regulations.