WELSH STATUTORY INSTRUMENTS

2002 No. 917 (W. 105)

NATIONAL HEALTH SERVIVCE, WALES

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

Made - - - -	*28th March 2002*
Coming into force	
except for regulations 2 and 5	*1st April 2002*
regulations 2 and 5	*9th April 2002*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 38, 39, 78, 126(4) and 127 of, and paragraphs 2 and 2A of Schedule 12 to the National Health Service Act 1977(**1**) hereby makes the following Regulations:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) and (General Ophthalmic Services) (Amendment) (Wales) Regulations 2002.

(2) These Regulations shall come into force on—

(a) except for regulations 2 and 5, on 1st April 2002; and

(b) regulations 2 and 5 on 9th April 2002.

(**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 Services Act 1980 (c. 53) ("the 1980 Act"), section 1 and Schedule 1, paragraph 51; by the Health and Social Security Act 1984 (c. 48) ("the 1984 Act"), section 1(3); by S.I.1985/39, article 7(11); by the Health and Medicines Act 1988 (c. 49) ("the 1988 Act"), section 13(1); and by the Health Authorities Act 1995 (c. 17) ("the 1995 Act"), Schedule 1, paragraph 27.
Section 39 was extended by the 1988 Act, section 17; and amended by the Health Services Act 1980 (c. 53), section 1 and Schedule 1, paragraph 52, by the 1984 Act, section 1(4) and Schedule 1, paragraph 1 and Schedule 8; by S.I.1985/39, article 7(12); and by the 1995 Act, Schedule 1, paragraph 28.
Section 126(4) was amended by the 1990 Act, section 65(2) and by the Health Act 1999 (c. 8) ("the 1999 Act"), Schedule 4, paragraph 37(6).
Paragraph 2(1) of Schedule 12 was substituted by the 1988 Act, Schedule 2, paragraph 8(1); Paragraph 2A of Schedule 12 was inserted by the 1984 Act, Schedule 1, Part 1, paragraph 3 and amended by the 1988 Act, section 13(2) and (3).
The functions of the Secretary of State under sections 38, 39, 78, 126(4) and 127 of, and paragraphs 2 and 2A of Schedule 12 to the 1977 Act are transferred to the National Assembly for Wales by The National Assembly for Wales (Transfer of Functions) Order 1999, S.I.1999/672, article 2 and Schedule 1, as amended by section 66(5) of the 1999 Act.

(3) In these Regulations unless the context otherwise requires—

"the 1997 Regulations" ("Rheoliadau 1997") means the National Health Service (Optical Charges and Payments) Regulations 1997(**2**);

"the 1986 Regulations" ("Rheoliadau 1986") means the National Health Service (General Ophthalmic Services) Regulations 1986(**3**).

(4) These Regulations apply to Wales only.

Amendment of regulation 8 of the 1997 Regulations

2. In regulation 8 of the 1997 Regulations (eligibility — supply of optical appliances), in paragraphs (3)(c) (receipt of working families' tax credit) and (g) (disabled person's tax credit), for "£71" substitute "£72.20".

Amendment of regulation 19 of the 1997 Regulations

3. In regulation 19 of the 1997 Regulations (redemption value of voucher for replacement or repair)—

(a) in paragraph (1)(b), for "£43.90" substitute "£44.60"; and

(b) in paragraph (3), for "£11.30" substitute "£11.50".

Amendment of the Schedules to the 1997 Regulations

4.—(1) In Schedule 1 to the 1997 Regulations (voucher letter codes and face values — supply and replacement) in column (3) (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 that table.

TABLE

(1) *Old amount*	(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

(2) In Schedule 2 to the 1997 Regulations (prisms, tints, photochromic lenses, small and special glasses and complex appliances)—

(**2**) S.I.1997/818; the relevant amending instruments are S.I.1997/2488, 1998/499, 1999/609, 2000/978 (W.48), 2000/3119 (W.198), 2001/1362 (W.90), 2001/1423 (W.98) and 2002/186 (W.25).

(**3**) S.I.1986/975; the relevant amending instruments are S.I.1988/486, 1989/395 and 1175, 1990/1051, 1991/583, 1992/404, 1995/558, 1996/705 and 2320, 1999/693, 1999/2481 (W.21) and 2001/1362 (W.90).