STATUTORY RULES OF NORTHERN IRELAND

2003 No. 424

HEALTH AND PERSONAL SOCIAL SERVICES

Optical Charges and Payments and General Ophthalmic Services (Amendment No. 2) Regulations (Northern Ireland) 2003

Made - - - - 26th September 2003

Coming into operation 6th October 2003

The Department of Health, Social Services and Public Safety(**1**) in exercise of the powers conferred on it by Articles 62, 98, 106 and 107(6) of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**2**) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel, and after consultation with such organisations as appeared to the Department to be representative of medical practitioners practising as ophthalmic medical practitioners, and ophthalmic opticians, as required by Article 62(3) of the said Order, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Optical Charges and Payments and General Ophthalmic Services (Amendment No. 2) Regulations (Northern Ireland) 2003 and shall come into operation on 6th October 2003.

(2) In these regulations –

"the Optical Regulations" means the Health and Personal Social Services (Optical Charges and Payments) Regulations (Northern Ireland) 1997(**3**); and

"the Ophthalmic Regulations" means the Health and Personal Social Services (General Ophthalmic Services) Regulations (Northern Ireland) 1986(**4**).

Amendment of the Optical Regulations

2.—(1) The Optical Regulations are amended as follows.

(**1**) *See* S.I.1999/283 (N.I. 1) Article 3(6)

(**2**) S.I. 1972/1265 (N.I. 14); relevant amending instruments are S.I. 1984/1158 (N.I. 8) – Article 3 and Schedules 1 and 6; S.I. 1988/2249 (N.I. 24) – Article 8; S.I. 1991/194 (N.I. 1) – Article 34 and Schedule 5

(**3**) S.R. 1997 No. 191; relevant amending instrument is S.R. 2003 No. 176

(**4**) S.R. 1986 No. 163; relevant amending Regulations are S.R. 1989 No. 113, S.R. 1995 No. 115, S.R. 1996 No. 416, S.R. 1999 Nos. 112 and 394, S.R. 2001 No. 339, S.R. 2002 No. 85 and S.R. 2003 No. 176

(2) In regulation 1 (citation, commencement and interpretation), in paragraph (2), after the definition of "patients resources" there is inserted –

""pension credit guarantee credit" shall be construed in accordance with sections 1 and 2 of the State Pension Credit Act (Northern Ireland) 2002(**5**);"

(3) In regulation 8 (eligibility – supply of optical appliances) –

(a) in paragraph (3), after sub-paragraph (l), there is inserted –

"(m) he is receiving pension credit guarantee credit or is a member of the same family as a person who is receiving pension credit guarantee credit."; and

(b) in paragraph (4), in sub-paragraph (a) (definition of family), for "sub-paragraphs (b) and (f)", there is substituted "sub-paragraphs (b), (f) and (m)".

Amendment of the Ophthalmic Regulations

3.—(1) The Ophthalmic Regulations are amended as follows.

(2) In regulation 2 (Interpretation), in paragraph (1), after the definition of "patient" there is inserted –

""pension credit guarantee credit" shall be construed in accordance with sections 1 and 2 of the State Pension Credit Act (Northern Ireland) 2002;".

(3) In regulation 15 (sight tests – eligibility) –

(a) in paragraph (2) after sub-paragraph (l) there is inserted –

"(m) he is a member of the same family as a person who is receiving pension credit guarantee credit;"; and

(b) in paragraph (3), in sub-paragraph (a) (definition of family), for "sub-paragraphs (b) and (f)", there is substituted "sub-paragraphs (b), (f) and (m)".

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on 26th September 2003.

Dr. J. F. Livingstone
Senior Officer of the
Department of Health, Social Services and
Public Safety

(**5**) 2002 c. 14 (N.I.)