1995 No. 114

HEALTH AND PERSONAL SOCIAL SERVICES

Optical Charges and Payments (Amendment No. 2) Regulations (Northern Ireland) 1995

Made	*22nd March 1995*
Coming into operation . .	*1st April 1995*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 98 and 106 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Optical Charges and Payments (Amendment No. 2) Regulations (Northern Ireland) 1995 and shall come into operation on 1st April 1995.

(2) In these regulations, "the principal regulations" means the Optical Charges and Payments Regulations (Northern Ireland) 1989(**b**).

Amendment of regulation 1 of the principal regulations

2. In regulation 1(2) of the principal regulations (citation, commencement and interpretation), after the definition of "complex appliance", there shall be inserted the following definition—

" "disability working allowance" means disability working allowance under Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**c**);".

Amendment of regulation 2 of the principal regulations

3. In regulation 2 of the principal regulations (charges for optical appliances supplied by a Board)—

(*a*) in paragraph (3) for "£37·80" there shall be substituted "£38·60";

(*b*) in paragraph (5)(*b*) for "£46·40" and "£75·40" in both places where they occur there shall be substituted "£47·30" and "£76·90" respectively.

(**a**) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1984/1158 (N.I. 8) Article 3(2) and paragraph 3 of Schedule 1; S.I. 1988/2249 (N.I. 24) paragraphs 4 and 5 of Article 8, and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5; there are other amendments which are not relevant

(**b**) S.R. 1989 No. 114 as amended by S.R. 1990 No. 99, S.R. 1991 Nos. 115 and 332, S.R. 1992 Nos. 155 and 242, S.R. 1993 No. 141 and S.R. 1994 No. 100

(**c**) 1992 c. 7

Amendment of regulation 4(2) of the principal regulations

4. In regulation 4 of the principal regulations (completion and use of voucher — sight tests), in paragraph (2), after the word "patient" there shall be inserted—

", the patient's date of birth".

Amendment of regulation 8 of the principal regulations

5.—(1) Regulation 8 of the principal regulations (eligibility — supply of optical appliances) shall be amended as follows.

(2) In paragraph (3), the word "or" at the end of head (*e*) shall be omitted and after head (*f*) there shall be added—

"(*g*) he is in receipt of disability working allowance and his capital resources, calculated in accordance with the regulations concerning entitlement to that allowance(**a**), were not more than £8,000 at the time that allowance was claimed; or

(*h*) he is a member of the same family as a person described in head (*g*).".

(3) For paragraph (4) there shall be substituted—

"(4) In paragraph (3), "family" (in reference to membership of the same family) has the meaning given to it by section 133(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—

(*a*) as it applies to income support(**b**), in the case of paragraph (3)(*b*) and (*f*);

(*b*) as it applies to family credit(**c**), in the case of paragraph (3)(*d*); and

(*c*) as it applies to disability working allowance(**d**), in the case of paragraph (3)(*h*).".

Amendment of regulation 9 of the principal regulations

6. In regulation 9 of the principal regulations (issue of vouchers by ophthalmic medical practitioners or opticians) in paragraph 3(*b*), for the words "the patient's age if under 19" there shall be substituted "the patient's date of birth".

Amendment of regulation 10 of the principal regulations

7. In regulation 10 of the principal regulations (issue of vouchers by the Central Services Agency) in paragraph 3(*b*), for the words "the patient's age if under 19" there shall be substituted "the patient's date of birth".

(**a**) S.R. 1992 No. 78

(**b**) *See* S.R. 1987 No. 459, regulations 14 to 16; relevant amending regulations are S.R. 1988 No. 146, S.R. 1989 No. 139, S.R. 1990 Nos. 131 and 387 and S.R. 1993 Nos. 149 and 373

(**c**) *See* S.R. 1987 No. 463, regulations 6 to 9; relevant amending regulations are S.R. 1988 No. 131, S.R. 1990 Nos. 138 and 387 and S.R. 1993 No. 373

(**d**) *See* S.R. 1992 No. 78, regulations 8 to 11 as amended by S.R. 1993 No. 373

Amendment of regulation 11 of the principal regulations

8. In regulation 11 of the principal regulations (issue of vouchers by Boards) in paragraph 3(*b*), for the words "the patient's age if under 19" there shall be substituted "the patient's date of birth".

Amendment of regulation 17 of the principal regulations

9. In regulation 17 of the principal regulations (completion of vouchers) in paragraphs (2)(*b*) and (3)(*c*), for the words "the patient's age if under 16" there shall be substituted "the patient's date of birth".

Amendment of regulation 20 of the principal regulations

10. In regulation 20 of the principal regulations (redemption value of voucher for replacement or repair)—

(*a*) in paragraph (1)(*b*) for "£37·80" there shall be substituted "£38·60"; and

(*b*) in paragraph (3) for "£9·60" there shall be substituted "£9·90".

Amendment of Schedules to the principal regulations

11.—(1) In Schedule 1 to the principal regulations (voucher letter codes and face values — supply and replacement)(**a**) in column 3 (face value of voucher) for each amount specified in column 1 of the Table below (old amount) there shall be 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*
£ 25·50	£ 26·40
£ 39·30	£ 40·10
£ 53·60	£ 54·70
£105·20	£107·30
£ 44·00	£ 45·50
£ 56·80	£ 57·90
£ 68·40	£ 69·80
£115·70 (in both places where it appears)	£118·00
£ 37·80	£ 38·60

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

(*a*) in paragraph 1(1)(*a*) (prism — single vision lens) for "£4·90" there shall be substituted "£5·10";

(**a**) Schedule 1 was substituted by regulation 4 of S.R. 1992 No. 155