1989 No. 269

HEALTH AND PERSONAL SOCIAL SERVICES

General Ophthalmic Services (Amendment No. 2) Regulations (Northern Ireland) 1989

Made	*10th July 1989*
Coming into operation . .	*31st July 1989*

The Department of Health and Social Services in exercise of the powers conferred on it by Articles 62, 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel(**b**) 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 General Ophthalmic Services (Amendment No. 2) Regulations (Northern Ireland) 1989 and shall come into operation on 31st July 1989.

(2) In these regulations, the "principal regulations" means the General Ophthalmic Services Regulations (Northern Ireland) 1986(**c**).

Amendment of regulation 14 of the principal regulations

2. In regulation 14 of the principal regulations in paragraph (1A) for "13B(4)" there shall be substituted "15B(4)".

Amendment of terms of service

3.—(1) Schedule 1 to the principal regulations (Terms of Service) is amended according to the following provisions of this regulation.

(2) In paragraph 2 for sub-paragraph (*c*) there is substituted the following:

"(*c*) regulation 9(2) to (6) of the Optical Charges and Payments Regulations (Northern Ireland) 1989;".

(3) In paragraph 10 (Testing of Sight)

(*a*) for sub-paragraphs (1) to (3) there are substituted the following sub-paragraphs—

(**a**) S.I. 1972/1265 (N.I. 14). As amended by S.I. 1984/1158 (N.I. 8) and S.I. 1988/2249 (N.I. 24)
(**b**) Formerly Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3
(**c**) S.R. 1986 No. 163. As amended by S.R. 1988 No. 110 and S.R. 1989 No. 113

"(1) A contractor shall, having accepted pursuant to the regulations an application for the testing of sight, test the sight of a patient to determine whether the patient needs to wear or use an optical appliance, and on so doing shall fulfil any duty imposed on him by, or in regulations made under, Section 20B of the Opticians Act 1958(**a**).

(2) Where a contractor is of the opinion that a patient whose sight he has tested pursuant to sub-paragraph (1)—

(*a*) shows on examination signs of injury, disease or abnormality in the eye or elsewhere which may require medical treatment; or

(*b*) is not likely to attain a satisfactory standard of vision notwithstanding the application of corrective lenses,

he shall so inform the patient's doctor.

(3) Where a contractor tests the sight of a patient diagnosed as suffering from diabetes or glaucoma he shall inform the patient's doctor of the results of the test.'';

(*b*) in sub-paragraph (4) for "issued pursuant to sub-paragraph (3)" there is substituted "for glasses issued following a testing of sight under general ophthalmic services".

Sealed with the Official Seal of the Department of Health and Social Services on 10th July 1989.

(L.S.) *R. McMurray*
Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 10th July 1989.

(L.S.) *R. A. H. Miller*
Assistant Secretary

(**a**) 1958 c.32; section 20B was inserted by the Health and Medicines Act 1988 (c.49); *see* S.R. 1989 No. 268