1978 No. 21

HEALTH AND PERSONAL SOCIAL SERVICES

General Ophthalmic Services

Made . . . . . 20*th January* 1978

Coming into operation . . . 1*st March* 1978

The Department of Health and Social Services(a) in exercise of the powers conferred on it by Article 62, 98, 106 and 107 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(b) and paragraph 2(1) and 2(2) of Schedule 1 to the Northern Ireland Act 1974(c) and of all other powers enabling it in that behalf and after consultation as required by Article 62(3) of the said Order, and in conjunction with the Department of Finance(a) hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Health and Personal Social Services (General Ophthalmic Services) (Amendment) Regulations (Northern Ireland) 1978, and shall come into operation on 1st March 1978.

Amendment of regulations

2. The Health and Personal Social Services (General Ophthalmic Services) Regulations (Northern Ireland) 1975(d) as amended(e) shall be further amended as follows:—

(1) After paragraph (*b*) of regulation 12 there shall be inserted the following paragraph:—

"(*bb*) the class of persons to whom any specified type of such optical appliances for which provision is made in paragraph (*b*) may be supplied;"

(2) For regulation 19 there shall be substituted the following regulation:—

"*Charges for replacement or repair*

19.—(1) Subject to the provisions of paragraph (2), a patient, other than any of the persons mentioned in paragraph (3), shall be liable to pay, for the replacement or repair under the General Ophthalmic Services of the whole or part of an optical appliance, the charges specified in respect thereof in the Statement.

(2) Where a patient submits a claim to the Agency that such replacement or repair was not necessitated by an act or omission of his and that he should not be held liable to pay the charges referred to in paragraph (1), the Agency shall consider such claim and any further particulars which the patient may, at the Agency's request, give orally or in writing, and shall notify in writing to the patient and to the optician its decision on such claim.

(a) Formerly Ministry: see 1973 c.36, s.40 and Sch. 5 para 8
(b) S.I. 1972/1265 (N.I. 14)
(c) 1974 c.28
(d) S.R. 1975 No. 372 (II, p. 1808)
(e) S.R. 1977 No. 80