(8) Metal used, after approval by the Committee of an estimate for denture plates, linqual or palatal bars, backings and tags, spiral springs, bolts and swivels, shall be—

(*a*) alloys containing not less than 33⅓ per cent. of gold, platinum or palladium and not more than 20 per cent. of base metal, or

(*b*) stainless steel, or

(*c*) such other material as may be approved by the Ministry,

and shall be of adequate strength.

Supplementary Eye Services

Regulations dated 25th June, 1948, made by the Ministry of Health and Local Government under sections twenty-two, seventy-four, eighty and eighty-six of the Health Services Act (Northern Ireland), 1948.

1948. No. 166

The Ministry of Health and Local Government, in exercise of the powers conferred on it by sections twenty-two, seventy-four, eighty and eighty-six of the Health Services Act (Northern Ireland), 1948, hereby makes the following Regulations, that is to say :—

PART I

General

1. These Regulations may be cited as the Health Services (Supplementary Eye Services) Regulations, (Northern Ireland), 1948, and shall come into operation on the date hereof.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them, that is to say :—

" the Act " means the Health Services Act (Northern Ireland), 1948 ;

" Authority " means the Northern Ireland Hospitals Authority ;

" Board " means the Northern Ireland General Health Services Board ;

" Committee " means the Eye Services Committee, appointed under the provisions of section thirty-six of the Act ;

" Dispensing Optician " means a person, firm or company qualified as a Dispensing Optician in accordance with the Health Services (Supplementary Eye Services) (Qualifications) Regulations (Northern Ireland), 1948 ;

" glasses " includes any optical appliance which may be supplied under section twenty-two of the Act ;

" glasses of a special type " means glasses of a more expensive type than standard glasses ;

" Health Authority " has the meaning assigned to that expression in the Act ;

" Local Medical Committee " means a committee recognised by the Board under section five of the Act ;

" Minister " means the Minister of Health and Local Government ;

" Ministry " means the Ministry of Health and Local Government ;

" ophthalmic medical practitioner " means a medical practitioner having the qualifications prescribed by the Health Services (Supplementary Eye Services) (Qualifications) Regulations (Northern Ireland), 1948 ;

" ophthalmic optician " means a person, firm or company qualified as an ophthalmic optician in accordance with the Health Services (Supplementary Eye Services) (Qualifications) Regulations (Northern Ireland), 1948 ;

" replacement " means the supply of glasses in place of glasses previously supplied under these Regulations which have been lost, damaged or destroyed and which contained lenses conforming to the same prescription ;

" standard glasses " means glasses specified as such in the statement referred to in Regulation 3 of these Regulations ;

" supply " in relation to glasses includes replacement ;

" the Tribunal " means the Tribunal constituted under section sixteen of the Act.

(2) Any reference to a form in these Regulations shall include a reference to a form substantially to the like effect.

(3) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

PART II

General Arrangements for the provision of Supplementary Eye Services

Preparation of Statement determining Fees, etc.

3.—(1) The Ministry shall, after consultation with such organisations as the Minister may recognise as representative of medical practitioners practising as oculists, ophthalmic and dispensing opticians, cause to be prepared a statement which shall specify :—

(*a*) the fees payable by the Authority for the testing of sight by ophthalmic medical practitioners and ophthalmic opticians and for the dispensing of glasses by ophthalmic and dispensing opticians ;

(*b*) the types and quality of glasses ;
(*c*) a scale of charges for the supply or repair of standard glasses ;
(*d*) the charges which may be made to persons to whom, at their request, an ophthalmic or dispensing optician supplies glasses of a special type or in respect of the repair of any such glasses.

(2) All payments which are due to be made by the Authority under arrangements made by the Committee shall be approved by the Committee and be made by the Authority normally within one calendar month of the date on which the claim for payment has been lodged with the Committee.

(3) The said statement may be amended from time to time by the Ministry after consultation with such organisations as aforesaid.

Terms of Service for Ophthalmic Medical Practitioners, Ophthalmic Opticians and Dispensing Opticians

4. The arrangements which the Authority are required by section twenty-two of the Act to make with ophthalmic medical practitioners and ophthalmic and dispensing opticians for the provision of supplementary eye services shall be made on behalf of the Authority by the Committee and shall incorporate the terms of service contained in Parts I, II and III respectively of the First Schedule to these Regulations and the statement referred to in the last foregoing Regulation.

Ophthalmic List

5.—(1) The Committee shall prepare a list, to be called "the ophthalmic list", of ophthalmic medical practitioners, ophthalmic opticians and dispensing opticians who having made the appropriate applications are entitled to be included in the list.

(2) The ophthalmic list shall contain, in addition to the names of ophthalmic medical practitioners and ophthalmic and dispensing opticians :—

(*a*) the address of any place at which they undertake to attend for the purpose of the testing of sight or the supply of glasses ;
(*b*) particulars of the days and hours at which the service will normally be provided.

(3) Copies of the ophthalmic list shall be available for inspection at the headquarters offices of the Authority and at such other places as appear to the Committee to be convenient for informing all persons interested, and shall be kept revised up-to-date.

(4) The Committee shall send a copy of the ophthalmic list to the Board and to the Ministry and shall within seven days inform each of them of any alteration which may from time to time be made therein. The Committee shall send a copy of the list to each Local Medical Committee and health authority, and the hospital management committee of each hospital or group of hospitals in Northern Ireland, and

at intervals of not more than three months shall notify each of them of any alteration made therein.

Application for inclusion in the Opthalmic List

6. Application for inclusion in the ophthalmic list shall be made by delivering or sending by post to the Secretary of the Authority an application in the appropriate Form set out in Part VII of the First Schedule to these Regulations.

Publication of particulars

7. The Committee shall cause to be published in such manner as appears to them best calculated to inform all persons interested, particulars of the arrangements made by the Committee, including a statement of the places where copies of the terms of service for ophthalmic practitioners and ophthalmic and dispensing opticians, and copies of the ophthalmic list may be seen, and any other particulars which the Committee think proper.

PART III

Method of obtaining Supplementary Eye Services involving the testing of sight

8.—(1) A person receiving from a medical practitioner a recommendation in writing for supplementary eye services may present that recommendation to any ophthalmic medical practitioner or ophthalmic optician whose name appears on the ophthalmic list.

(2) if a person is unable or unwilling for reasons of conscience to obtain such a recommendation he may apply to the Committee for authority to receive such services and such an authority, signed by the Secretary of the Authority or by another officer of the Authority appointed to act in his stead, shall confer on the person the same rights as a recommendation given by a medical practitioner.

(3) If a person has previously received supplementary eye services involving a testing of the sight he shall be entitled to receive such services without producing such a recommendation or authority as aforementioned.

9. An ophthalmic medical practitioner or ophthalmic optician on receiving an application for supplementary eye services which involve the testing of sight, may if such a recommendation or authority as is mentioned in Regulation 8 is produced to him or if the applicant states that he has previously had his sight tested under the supplementary eye services, make such examination of the applicant's eyes as may be required and shall forthwith —

(1) See that Part I of the Form E.S.C. 2 set out in Part IV of the First Schedule to these Regulations is completed by or on behalf of the applicant ;

(2) complete Part II if glasses are required and Part V of the said Form and secure the completion of Part IV of the form ; and

(3) forward the form with the recommendation or authority (if any) to the Committee.

10.—(1) Where the Committee, on the receipt of such form and after any such enquiry as they think proper, are satified that any glasses prescribed therein are not required by way of replacement or that, if they are required by way of replacement, such replacement was not necessitated by lack of care, they shall send to the applicant the upper detachable part of the form endorsed to the effect that the supply of glasses under the supplementary ophthalmic services is authorised, together with a note informing him that he may take it for dispensing to any ophthalmic or dispensing optician on the ophthalmic list.

(2) Where the Committee, on the receipt of such form and after any such enquiry as they think proper, are satisfied that the applicant is already in possession of such glasses as are prescribed therein, or that any glasses prescribed therein are required by way of replacement which has been necessitated by lack of care, they shall send him the upper detachable part of the form endorsed to the effect that the glasses will not be supplied at the cost of the Authority, together with a note confirming the Authority's decision. The provisions of paragraphs (2) (except the last sentence) and (3) of Regulation 13 shall apply to the case of replacement necessitated by lack of care.

11.—(1) The form referred to in Regulation 10 endorsed with the Committee's approval shall authorise the optician to whom it is presented to supply the glasses in accordance with the prescription : Provided that glasses shall not be supplied until inquiry has been made whether the applicant is in possession of a frame for glasses which has been supplied under these Regulations.

(2) If on inquiry it is ascertained that the applicant possesses such a frame, or if the applicant produces a frame which has not been so supplied, and if in the opinion of the optician, it is not worn out or otherwise unsuitable nor required for use with lenses of another type, it shall be used for the glasses so supplied.

(3) When the glasses have been supplied to the applicant the optician shall complete Part VII of the form and obtain the applicant's signature to Part IX and subject to the next following paragraph shall forthwith return the form to the Committee for payment.

(4) If the glasses are of a special type supplied by arrangement with the applicant, the optician shall return the form to the Committee for payment with Part VIII thereof duly completed.