STATUTORY RULES OF NORTHERN IRELAND

2025 No. 172

HEALTH AND SOCIAL CARE

The Health and Social Care (Exemptions from Charges, Payments and Remission of Charges) (Amendment and Transitional Provision) Regulations (Northern Ireland) 2025

Made - - - -	*4th November 2025*
Coming into operation -	*1st December 2025*

The Department of Health(**a**) makes the following Regulations in exercise of the powers conferred by Articles 45, 62, 98, 106 and 107(6) of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**b**) and with the approval of the Department of Finance in so far as they relate to the remission of charges, and in conjunction with the Department of Finance in so far as they relate to travelling expenses.

In accordance with Article 62(3) of that Order it has consulted with such organisations as appear to it to be representative of medical practitioners practising as ophthalmic medical practitioners and ophthalmic opticians.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health and Social Care (Exemptions from Charges, Payments and Remission of Charges) (Amendment and Transitional Provision) Regulations (Northern Ireland) 2025 and shall come into operation on 1st December 2025.

(2) In these Regulations—

"HS charge" has the meaning given in regulation 4(1) of the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004(**c**) (remissible HS charges);

"HS travel expenses" has the meaning regulation 3(1) of the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004 (HS travel expenses);

"ophthalmic medical practitioner" has the meaning given in regulation 2 of the General Ophthalmic Services Regulations (Northern Ireland) 2007(**d**) (interpretation);

"the Ophthalmic Regulations" means the General Ophthalmic Services Regulations (Northern Ireland) 2007(**e**);

(**a**) See 2016 c. 5 Section 1(5)
(**b**) S.I. 1972/1265 (N.I. 14); relevant amending Instruments are Article 13 of S.I. 1978/1907 (N.I. 26); Article 3 of, and Schedule 1 to S.I. 1984/1158 (N.I. 8); Article 14 of S.I. 1988/594 (N.I. 2); Article 8 of S.I. 1988/2249 (N.I. 24); Articles 34 and 35 of, and Schedules 5 and 6 to S.I. 1991/194 (N.I. 1); Article 41(4) of 2001 c.3 (NI); S.R. 1999 No. 11 and S.R. 2004 No. 259
(**c**) S.R. 2004 No. 91
(**d**) S.R. 2007 No. 436
(**e**) S.R. 2007 No. 436; relevant amending Regulations are S.R. 2009 No. 152 and S.R. 2014 No. 2

"the Optical Charges Regulations" means the Optical Charges and Payments Regulations (Northern Ireland) 1997(**a**);

"optician" has the meaning given in regulation 1(2) of the Optical Charges and Payments Regulations (Northern Ireland) 1997 (interpretation);

"sight test" is to be construed in accordance with section 36(2) of the Opticians Act 1989(**b**) (interpretation);

"the Travelling Expenses Regulations" means the Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004(**c**); and

"voucher" has the meaning given in regulation 1(2) of the Optical Charges and Payments Regulations (Northern Ireland) 1997.

Amendment of the Optical Charges Regulations

2.—(1) The Optical Charges Regulations are amended in accordance with this regulation.

(2) In regulation 8 (Eligibility – supply of optical appliances)—

(a) in paragraph (3)—

(i) at the end of sub-paragraph (n)(**d**) omit "or";

(ii) at the end of sub-paragraph (o), for "." substitute "; or"; and

(iii) after sub-paragraph (o) insert—

"(p) he is a relevant universal credit recipient.";

(b) after paragraph (3) insert—

"(3A) For the purposes of paragraph (3)(p) "relevant universal credit recipient" means a person who is—

(a) receiving universal credit, either as a single person or as a member of a couple, without—

(i) the child element,

(ii) the LCW element, or

(iii) the LCWRA element,

and either has no earned income or has earned income of £435 or less in the assessment period;

(b) receiving universal credit, either as a single person or as a member of a couple, where the universal credit award includes one or more of—

(i) the child element,

(ii) the LCW element, or

(iii) the LCWRA element,

and either has no earned income or has earned income of £935 or less in the assessment period; or

(c) a qualifying young person for whom a recipient referred to in sub-paragraph (b) is responsible (within the meaning of Part 2 of the Welfare Reform (Northern Ireland) Order 2015(**e**) (Universal credit) and regulations made thereunder).''; and

(c) For paragraph (4) substitute—

"(4) In paragraph (3)—

(**a**) S.R. 1997 No.191; relevant amending Regulations are S.R. 1999 Nos. 111 and 394; S.R. 2000 Nos. 51 and 341; S.R. 2001 No. 133; S.R. 2003 Nos. 176 and 424; S.R. 2004 Nos. 92, 113 and 162; S.R. 2008 No. 423 and S.R. 2009 No. 153

(**b**) 1989 c. 44

(**c**) S.R. 2004 No. 91; relevant amending Regulations are S.R 2005 Nos. 107 and 386; S.R. 2006 Nos. 136 and 190; S.R. 2005 No. 71; S.R. 2008 No. 391 and S.R. 2009 Nos. 52 and 151

(**d**) Sub-paragraphs (n) and (o) were inserted by regulation 2(3) of S.R. 2008 No. 423

(**e**) S.I. 2015/2006 (N.I. 1)

(a) in sub-paragraphs (b), (f) and (m)(**a**) "family" has the meaning given to it by section 133(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**b**), as it applies to income support;

(b) in sub-paragraph (j) "family" has the meaning assigned to it by article 2(2) of the Jobseekers (Northern Ireland) Order 1995(**c**);

(c) in sub-paragraph (l)(**d**) "family" has the meaning assigned to it by regulation 2(2) of the Tax Credits (Definition and Calculation of Income) Regulations 2002(**e**);

(d) in sub-paragraph (o) "family" has the same meaning given to it by regulation 2 of the Employment and Support Allowance Regulations (Northern Ireland) 2008(**f**);"

(d) After paragraph 4 insert—

"(4A) For the purposes of paragraph (3A)—

"assessment period" means the assessment period for the purposes of universal credit as specified in regulation 22 of the Universal Credit Regulations (Northern Ireland) 2016(**g**) (Assessment periods);

"child element" means the child element of universal credit as specified in regulation 25 of the Universal Credit Regulations (Northern Ireland) 2016 (The child element);

"couple" has the meaning given in Article 45 of the Welfare Reform (Northern Ireland) Order 2015 (Couples);

"earned income" means a person's earned income as defined by Chapter 2 of Part 6 of the Universal Credit Regulations (Northern Ireland) 2016 (Calculation of Capital and Income – Earned Income);

"LCW element" means the LCW element of universal credit as defined by regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 (Award to include LCWRA element)(**h**);

"LCWRA element" means the LCWRA element of universal credit as defined by regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 (Award to include LCWRA element)(**i**);

"qualifying young person" has the meaning given in Article 15(5) of the Welfare Reform (Northern Ireland) Order 2015 (Responsibility for children and young persons);

"single person" is to be construed in accordance with Article 6(2)(a) of the Welfare (Northern Ireland) Order 2015 (Universal credit); and

"universal credit" means universal credit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015 (Universal credit)."

Amendment of the Travelling Expenses Regulations

3.—(1) The Travelling Expenses Regulations are amended in accordance with this regulation.

(2) In regulation 2 (Interpretation)—

(a) after the definition of "appropriate office" insert—

(**a**) Sub- paragraph (m) was inserted by regulation 2(3)(a) of S.R. 2003 No. 424
(**b**) 1992 c. 7. Definition was inserted by regulation 2 of S.R. 2000 No. 51
(**c**) S.I. 1995/2705 (N.I. 15)
(**d**) Sub-paragraph (l) was inserted by regulation 3(2)(a) of S.R. 2003 No. 176
(**e**) S.I. 2002/2006
(**f**) S.R. 2008 No. 280
(**g**) S.R. 2016 No. 216
(**h**) Reg 28 was substituted by reg 2 of, and saved by para 1 of Sch 2 to, the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017 (S.R. 2017 No. 146)
(**i**) Reg 28 was substituted by reg 2 of, and saved by para 1 of Sch 2 to, the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017 (S.R. 2017 No.146)

""assessment period" means the assessment period for the purposes of universal credit as specified in regulation 22 of the Universal Credit Regulations (Northern Ireland) 2016 (Assessment periods);";

(b) after the definition of "child"(**a**) insert—

""child element" means the child element of universal credit as specified in regulation 25 of the Universal Credit Regulations (Northern Ireland) 2016 (The child element);";

(c) for the definition of "couple" substitute—

""couple" has the meaning given in Article 45 of the Welfare Reform (Northern Ireland) Order 2015 (Couples);";

(d) after the definition of "doctor" insert—

""earned income" means a person's earned income as defined by Chapter 2 of Part 6 of the Universal Credit Regulations (Northern Ireland) 2016 (Calculation of Capital and Income – Earned Income);";

(e) after the definition of "the Income Support Regulations" insert—

""LCW element" means the LCW element of universal credit as defined by regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 (Award to include LCWRA)(**b**);

"LCWRA element" means the LCWRA element of universal credit as defined by regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 (Award to include LCWRA element)(**c**);";

(f) after the definition of "provider" insert—

""qualifying young person" has the meaning given in Article 15 of the Welfare Reform (Northern Ireland) Order 2015 (Responsibility for children and young persons);";

(g) in the definition of "single person"(**d**), after "young person" insert "except that in regulation 5(1A) it is to be construed in accordance with Article 6 of the Welfare Reform (Northern Ireland) Order 2015 (Universal credit)";

(h) after the definition of "trade dispute", insert—

""universal credit" means universal credit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015(**e**);".

(3) In regulation 5 (Entitlement to full remission and payment), in paragraph (1)—

(a) at the end of sub-paragraph (d), omit "or";

(b) at the end of sub-paragraph (e), for "." substitute "; or"; and

(c) after sub-paragraph (e), insert—

"(f) he is a relevant universal credit recipient."

(d) after paragraph (1), insert—

"(1A) For the purposes of paragraph (1)(f) "relevant universal credit recipient" means a person who is—

(a) receiving universal credit, either as a single person or as a member of a couple, without—

(i) the child element,

(ii) the LCW element, or

(iii) the LCWRA element,

(**a**) Definition inserted by regulation 2(3) of S.R. 2005 No. 107

(**b**) Reg 28 was substituted by reg 2 of, and saved by para 1 of Sch 2 to, the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017 (S.R. 2017 No. 146)

(**c**) Reg 28 was substituted by reg 2 of, and saved by para 1 of Sch 2 to, the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017 (S.R. 2017 No. 146)

(**d**) Definition inserted by regulation 2(9) of S.R. 2005 No 107

(**e**) S.I. 2015/2006 (N.I. 1)

and either has no earned income or has earned income of £435 or less in the assessment period;

(b) receiving universal credit, either as a single person or as a member of a couple, where the universal credit award includes one or more of—

(i) the child element,

(ii) the LCW element, or

(iii) the LCWRA element,

and either has no earned income or has earned income of £935 or less in the assessment period; or

(c) a qualifying young person for whom a recipient referred to in sub-paragraph (b) is responsible (within the meaning of Part 2 of the Welfare Reform (Northern Ireland) Order 2015 (Universal credit) and regulations made thereunder).".

(4) In regulation 12 (Reimbursement of payments made in respect of HS travel expenses), omit "or (2) or a repayment under regulation 11(1)(a)".

Amendment of the Ophthalmic Regulations

4.—(1) The Ophthalmic Regulations are amended in accordance with this regulation.

(2) In regulation 16 (Sight Tests - eligibility)—

(a) in paragraph (2)—

(i) at the end of sub-paragraph (i), omit "or";

(ii) at the end of sub-paragraph (j) for "." substitute "; or"; and

(iii) after sub-paragraph (j) insert—

"(k) he is a relevant universal credit recipient.";

(b) After paragraph (2) insert—

"(2A) For the purposes of paragraph (2)(k) "relevant universal credit recipient" means a person who is—

(a) receiving universal credit, either as a single person or as a member of a couple, without—

(i) the child element,

(ii) the LCW element, or

(iii) the LCWRA element,

and either has no earned income or has earned income of £435 or less in the assessment period;

(b) receiving universal credit, either as a single person or as a member of a couple, where the universal credit award includes one or more of—

(i) the child element,

(ii) the LCW element, or

(iii) the LCWRA element,

and either has no earned income or has earned income of £935 or less in the assessment period; or

(c) a qualifying young person for whom a recipient referred to in sub-paragraph (b) is responsible (within the meaning of Part 2 of the Welfare Reform (Northern Ireland) Order 2015 (Universal credit) and regulations made thereunder).''; and

(c) after paragraph (4) insert—

"(5) For the purposes of paragraph (2A)—

"assessment period" means the assessment period for the purposes of universal credit as specified in regulation 22 of the Universal Credit Regulations (Northern Ireland) 2016(**a**) (Assessment periods);

"child element" means the child element of universal credit as specified in regulation 25 of the Universal Credit Regulations (Northern Ireland) 2016 (The child element);

"couple" has the meaning given in Article 45 of the Welfare Reform (Northern Ireland) Order 2015 (Couples);

"earned income" means a person's earned income as defined by Chapter 2 of Part 6 of the Universal Credit Regulations (Northern Ireland) 2016 (Calculation of Capital and Income – Earned Income);

"LCW element" means the LCW element of universal credit as defined by regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 (Award to include LCWRA element)(**b**);

"LCWRA element" means the LCWRA element of universal credit as defined by regulation 28 of the Universal Credit Regulations (Northern Ireland) 2016 (Award to include LCWRA element)(**c**);

"qualifying young person" has the meaning given in Article 15(5) of the Welfare Reform (Northern Ireland) Order 2015 (Responsibility for children and young persons);

"single person" is to be construed in accordance with Article 6(2)(a) of the Welfare Reform (Northern Ireland) Order 2015 (Universal credit); and

"universal credit" means universal credit under Part 2 of the Welfare Reform (Northern Ireland) Order 2015 (Universal credit).".

Transitional provision relating to the amendment of the Optical Charges Regulations

5.—(1) This paragraph applies where a cost is incurred by a person in respect of the supply, replacement or repair of an optical appliance(**d**) before 1 December 2025 and—

(a) immediately before that date, that person was eligible for a payment by virtue of regulation 8 (Eligibility – supply of optical appliances) or 15 (Eligibility – replacement or repair) of the Optical Charges Regulations; and

(b) but for the application of paragraph (2), that person's entitlement would cease by virtue of the amendments made to regulation 8 of those Regulations by regulation 2.

(2) Where paragraph (1) applies, regulation 20 of the Optical Charges Regulations (Payments to patients in respect of the supply, replacement or repair of optical appliances) continues to have effect in relation to that person's eligibility for a payment as if the amendment made by regulation 2 had not came into operation.

(3) This paragraph applies where—

(a) before 1 December 2025, a person was issued with a voucher in accordance with regulation 9 (Issue of vouchers by ophthalmic medical practitioners or opticians), 10 (Issue of vouchers by HSS trusts) or 11 (Issue of replacement vouchers by the Agency or an HSS trust) of the Optical Charges Regulations; and

(b) that voucher has not been accepted before that date.

(4) Where paragraph (3) applies such a voucher must be processed in accordance with the provisions of the Optical Charges Regulations as if the amendments made by regulation 2 had not come into operation.

(**a**) S.R. 2016 No. 216

(**b**) Reg 28 was substituted by reg 2 of, and saved by para 1 of Sch 2 to, the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017 (S.R. 2017 No. 146)

(**c**) Reg 28 was substituted by reg 2 of, and saved by para 1 of Sch 2 to, the Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations (Northern Ireland) 2017 (S.R. 2017 No. 146)

(**d**) Optical appliance is defined in section 36(1) of the Opticians Act 1989

Transitional provision relating to the amendment of the Travelling Expenses Regulations

6.—(1) This regulation applies where HS travel expenses are incurred or a HS charge is paid before 1 December 2025 and—

(a) immediately before that date, a person was entitled to payment in full of HS travel expenses or the full remission of a HS charge by virtue of regulation 5 of the Travelling Expenses Regulations (Entitlement to full remission and payment); and

(b) but for the application of this regulation, that person's entitlement would cease by virtue of the amendments made to regulation 5 of those Regulations by regulation 3.

(2) Where this regulation applies, regulation 5 of the Travelling Expenses Regulations continues to have effect as if the amendment made by regulation 3 had not come into operation.

Transitional provision relating to the amendment of the Ophthalmic Regulations

7.—(1) This regulation applies where, before 1 December 2025, a cost is incurred by a person in respect of a sight test by an ophthalmic medical practitioner or optician without a voucher being completed, and—

(a) immediately before that date, that person would have been entitled to have a sight test under general ophthalmic services by virtue of regulation 16 of the Ophthalmic Regulations (Sight Tests – eligibility); and

(b) on or after that date, that person would no longer be so entitled by virtue of the amendments made to regulation 16 of those Regulations by regulation 4.

(2) Where this regulation applies, regulation 6 of the Optical Charges Regulations (Payments to patients in respect of sight tests) has effect in relation to that person's eligibility for a payment as if—

(a) the amendments made by regulation 4 had not come into operation; and

(b) that person was an "eligible person" for the purposes of regulation 6(1) of those Regulations.

Sealed with the Official Seal of the Department of Health on 4th November 2025

L.S.

Gearoid Cassidy
A senior officer of the Department of Health

Sealed with the Official Seal of the Department of Finance on 4th November 2025

L.S.

Maryann Smith
A senior officer of the Department of Finance

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Optical Charges and Payments Regulations (Northern Ireland) 1997 ("the Optical Charges Regulations"), the Travelling Expenses and Remission of Charges

Regulations (Northern Ireland) 2004 ("the Travelling Expenses Regulations") and the General Ophthalmic Services Regulations (Northern Ireland) 2007 ("the Ophthalmic Regulations").

Regulations 2 and 4 of these Regulations amend the Optical Charges Regulations and the Ophthalmic Regulations respectively, so that from 1 December 2025, a person ("relevant universal credit recipient") receiving universal credit without a child element, a limited capability for work element or a limited capability for work and work-related activity element to their award is entitled for payments to be made, by means of a voucher system, in respect of costs incurred in connection with the supply of optical appliances and from exemption from costs for sight tests provided under general ophthalmic services if that person has no earned income or earned income of £435 or less in the relevant universal credit assessment period. A person (or a child or qualifying young person for whom the recipient is responsible) will also be entitled to such payment and exemption if that person is in receipt of universal credit with any of the aforementioned elements to the award and has no earned income or earned income of £935 or less in the relevant universal credit assessment period. Earned income is exclusive of income tax, National Insurance contributions, pension contributions and any welfare supplementary payments made to mitigate impacts from implementation of the Welfare Reform (Northern Ireland) Order 2015 as defined in the document "A Fresh Start the Stormont Agreement and Implementation Plan".

Regulation 5 of the Travelling Expenses Regulations makes provision to enable people in receipt of certain state benefits, or on low incomes, to be reimbursed for travel expenses incurred in obtaining certain HS services and to be exempt from paying certain HS charges. This includes, from 1 December 2025, persons who are in receipt of universal credit and certain dependent children and young persons. Regulation 3 of these Regulations amends regulation 5 of the Travelling Expenses Regulations so that, from 1 December 2025, the same earnings thresholds as in the Optical Charges Regulations and Ophthalmic Services Regulations are applied to ensure relevant universal credit recipients are entitled to the payment in full of certain travel expenses relating to HS treatment and the full remission of certain HS charges without needing to make a claim.

Regulations 5 to 7 make transitional provision to ensure that persons whose entitlement to reimbursement of a travel expense, remission of a charge or payment of a cost arising before 1 December 2025, can obtain reimbursement, remission or payment after that date, notwithstanding the changes made by these Regulations.

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