third (as near as may be) for a period ending on the thirty-first day of March in the third year, and the remainder on the thirty-first day of March in the fourth year.

5.—(1) Subject as in these regulations provided, the appointed members of the Council and the members of any Advisory Committee shall be appointed for a period expiring on the thirty-first day of March in the third year following the year in which they are appointed.

(2) Any appointed member of the Council or any member of an Advisory Committee may resign on giving notice in writing to the Minister.

(3) A person appointed to fill a casual vacancy shall hold office for the remainder of the period for which his predecessor was appointed.

(4) Any member shall on the expiration of his term of office, be eligible for re-appointment.

Given under the official seal of the Minister of Health this nineteenth day of March nineteen hundred and forty-eight.

(L.S.) *Aneurin Bevan,*
Minister of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

The regulations prescribe the periods for which members of the Central Health Services Council (other than the ex-officio members) and of any Standing Advisory Committee constituted under the National Health Service Act, 1946, are to be appointed.

5. CHARGES FOR APPLIANCES

The National Health Service (Charges for Appliances) Regulations, 1948

1948 No. 1505

Made - - - -	1*st July*, 1948
Laid before Parliament	1*st July*, 1948
Coming into Operation	5*th July*, 1948

108122.

The Minister of Health, in exercise of the powers conferred on him by section 3 of the National Health Service Act, 1946(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the National Health Service (Charges for Appliances) Regulations, 1948, and shall come into operation on the 5th day of July, 1948.

(**a**) 9 & 10 Geo. 6. c. 81.

2. The Interpretation Act, 1889(**a**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) Where the Minister of Health, in providing hospital and specialist services—

(*a*) supplies a person, at his request, with a denture or with an optical appliance (hereinafter referred to as " glasses ") which is of a more expensive type than the standard type, or

(*b*) repairs such a denture or glasses at a cost in excess of the cost of repairing a denture or glasses of a standard type,

the Minister may charge and recover from the person so supplied or for whom such repair is undertaken a sum representing the difference between the cost of supplying or repairing such article and the cost of supplying or repairing an article of a standard type.

For the purpose of this paragraph the standard type is, in case of a denture, the type made of plastic or vulcanite which is ordinarily supplied as part of the hospital and specialist services, and, in case of glasses, the type prescribed as the standard for the purpose in the National Health Service (Supplementary Ophthalmic Services) Regulations, 1948(**b**).

(2) Where an artificial limb supplied by the Minister of Pensions under arrangements made by the Minister of Health for the provision of hospital and specialist services is, at the request of the person supplied, of a more expensive type than the corresponding type supplied under contract to the Minister of Pensions for issue to war-disabled persons, or an artificial limb of the more expensive type which has been so supplied is repaired under those arrangements, the Minister of Health may charge and recover from the person so supplied or for whom such repair is undertaken a sum representing the difference between the cost of supplying or repairing such appliance and the cost of supplying or repairing an appliance of the corresponding type.

(3) Any denture, glasses or artificial limb to which this regulation applies which, in the opinion of the Surgeon or other person responsible for the case, are required by the person supplied owing solely to his clinical condition, or any repair of a denture, glasses or artificial limb so required shall be supplied or repaired free of charge.

4.—(1) Where any appliance (other than an artificial limb or invalid chair or tricycle) supplied as part of the hospital and specialist services by a hospital vested in the Minister of Health requires to be replaced or repaired the Hospital Management Committee or Board of Governors of the Hospital concerned may, if they think fit, refer to a sub-committee or committee, as the case may be, appointed by them the question whether the replacement or repair is necessitated by lack of care on the part of the person so supplied. The said sub-committee or committee may be appointed *ad hoc* or may be a standing sub-committee or committee appointed for the consideration of such questions.

(2) On the receipt of such a reference the sub-committee or committee shall make such inquiry into the matter as they think fit, and if in their opinion the circumstances so require or if the person concerned so demands the inquiry shall take the form of an oral hearing.

(3) After the completion of such inquiry the sub-committee or committee shall report thereon to the Hospital Management Committee or Board of Governors who shall then determine whether the replacement or repair is necessitated by lack of care on the part of the person supplied.

(**a**) 52 & 53 Vict. c. 63.
(**b**) S.I. 1948 No. 1273, p. 2248 below.

(4) The Minister of Health may recover from the person concerned the whole or any part of the cost of the replacement or repair of an appliance determined in manner aforesaid to have been necessitated by lack of care on the part of such person.

5.—(1) Where any appliance (other than an artificial limb, an invalid chair or a tricycle) supplied by a hospital (other than a hospital vested in the Minister of Health) under arrangements made by the Minister of Health for the provision of hospital and specialist services requires to be replaced or repaired the Regional Hospital Board for the area in which that hospital is situated may if they think fit, on the report of the hospital authority, refer to a committee of the Board the question whether the replacement or repair is necessitated by lack of care on the part of the person so supplied. The said committee may be appointed *ad hoc* or may be a standing committee appointed for the consideration of such questions.

(2) The provisions of paragraphs (2) (3) and (4) of regulation 4 shall apply to the proceedings of the committee and to the action which may be taken on their report, as if those paragraphs had been included in this regulation with the substitution of a reference to the Regional Hospital Board for the reference therein to a Hospital Management Committee or Board of Governors.

6.—(1) Where an appliance, consisting of an artificial limb, or an invalid chair or tricycle, supplied by the Minister of Pensions under arrangements made by the Minister of Health for the provision of hospital and specialist services requires to be replaced or repaired, and the Minister of Pensions has reason to suspect that such replacement or repair is necessitated by lack of care on the part of the person supplied, he may appoint a person or persons to investigate the matter.

(2) The person or persons so appointed shall make such inquiry into the matter as they think fit, and if in their opinion the circumstances so require or if the person concerned so demands the inquiry shall take the form of an oral hearing.

(3) The persons holding such inquiry shall report thereon to the Minister of Pensions who shall thereupon determine whether the replacement or repair is necessitated by lack of care on the part of the person supplied and if he determines that there has been such lack of care he shall so inform the Minister of Health.

(4) The Minister of Health may recover from the person concerned the whole or any part of the cost of the replacement or repair of an appliance determined in manner aforesaid to have been necessitated by lack of care on the part of such person.

7. For the purposes of regulations 4 and 5 any replacement or repair of glasses supplied as part of the hospital and specialist services which is required by a person within a period of two years after the date on which they were supplied to him shall be presumed to be necessitated by lack of care on his part unless he satisfies the authority concerned that the replacement or repair is not so necessitated.

8.—(1) Notwithstanding anything in the foregoing regulations, where the person applying to a hospital for the replacement or repair of an appliance supplied as part of the hospital and specialist services is a pupil in attendance at an educational establishment to which this regulation applies, and in making the application produces a request in the form contained in the Schedule to these regulations, or a form to the like effect, signed by a medical practitioner

acting on behalf of the Local Education Authority or by some other duly authorised officer of the authority, the Minister of Health shall be entitled, if it is decided in manner hereinbefore provided that the service is necessitated by lack of care on the part of the pupil, to recover the cost of the service from the Local Education Authority and not from the pupil.

(2) This regulation applies to educational establishments maintained by a Local Education Authority and educational establishments with the proprietors of which a Local Education Authority have made arrangements for securing the medical inspection of, and the provision of medical treatment for, pupils attending those establishments in accordance with section 78 of the Education Act, 1944(a).

SCHEDULE

FORM OF REQUEST BY LOCAL EDUCATION AUTHORITY FOR THE REPLACEMENT OR REPAIR OF AN APPLIANCE

The Local Education Authority.

Name of Pupil.....

Address .....

.....

The Local Education Committee request that the following appliance, viz.: produced by the above-named pupil may be [replaced] [repaired] under the hospital and specialist services.

Signed .....
Medical Officer to [Duly authorised officer of] the Local Education Authority.

Date.....

Given under the official seal of the Minister of Health this first day of July nineteen hundred and forty-eight.

(L.S.)

Aneurin Bevan,
Minister of Health.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These regulations provide for the recovery by the Minister of Health of charges for the supply of glasses, dentures and artificial limbs of a more costly kind than those ordinarily supplied under the hospital and specialist services, and in respect of the repair of such articles. The regulations also provide for the recovery of the cost of replacing or repairing appliances which have been lost or damaged through carelessness.

(a) 7 & 8 Geo. 6. c. 31.