SCOTTISH STATUTORY INSTRUMENTS

2025 No. 337

NATIONAL HEALTH SERVICE

The National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2025

Made - - - -	*5th November 2025*
Laid before the Scottish Parliament	*7th November 2025*
Coming into force - -	*1st January 2026*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 26 and 105(7) of the National Health Service (Scotland) Act 1978(**a**) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2025 and come into force on 1 January 2026.

(2) In these Regulations, "the 2006 Regulations" means the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006(**b**).

Amendment of regulation 2 of the 2006 Regulations

2.—(1) Regulation 2(1) (interpretation) of the 2006 Regulations is amended as follows.

(2) After the definition of "the Agency" insert—

""anterior eye condition" means any one of—

(a) anterior uveitis;

(b) blepharitis;

(c) corneal foreign body;

(d) episcleritis;

(e) herpes simplex keratitis;

(**a**) 1978 c. 29. Section 26 was amended by section 1(7) and paragraph 1 of part 2 of schedule 1 of the Health and Social Security Act 1984 (c. 48), section 13(4) of the Health and Medicines Act 1988 (c. 49) and sections 13 and 19 of the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13). Section 105(7) was amended by paragraph 5(1) of schedule 6 and schedule 7 of the Health Services Act 1980 (c. 53), paragraph 24 of schedule 9 of the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), and paragraph 60 of schedule 4 of the Health Act 1999 (c. 8) ("the 1999 Act"). Section 108(1) contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made. See section 66(1) of the 1999 Act in relation to any provision of that Act being taken to be a pre-commencement enactment within the meaning of the Scotland Act 1998 (c. 46) ("the 1998 Act"). The functions of the Secretary of State, insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(**b**) S.S.I. 2006/135. Relevantly amended by S.S.I. 2010/86 and S.S.I. 2022/169.

(f) herpes zoster ophthalmicus;

(g) infective conjunctivitis;

(h) marginal keratitis;

(i) ocular allergy;

(j) ocular rosacea.".

(3) After the definition of "sight test" insert—

""specialist ophthalmic medical practitioner" has the meaning given in paragraph 14A of schedule 1;

"specialist optometrist independent prescriber" has the meaning given in paragraph 14A of schedule 1;".

Amendment of paragraph 14 of schedule 1 of the 2006 Regulations

3. After paragraph 14(4) (eye examinations) of schedule 1 of the 2006 Regulations insert—

"(4A) Where a patient shows signs of an anterior eye condition, a referral under sub paragraph (4)(i) to another ophthalmic medical practitioner or an optometrist independent prescriber may only be made in circumstances where—

(a) the ophthalmic medical practitioner or optometrist independent prescriber is, as the case may be, a specialist ophthalmic medical practitioner or a specialist optometrist independent prescriber, and

(b) the specialist ophthalmic medical practitioner or specialist optometrist independent prescriber has agreed to accept the referral.

(4B) In making a referral under sub paragraph (4)(i) to a specialist ophthalmic medical practitioner or a specialist optometrist independent prescriber in accordance with sub paragraph (4A), the referring ophthalmic medical practitioner or optician is to take into account the place where the patient normally resides.

(4C) Where, in accordance with sub paragraph (4A), a specialist ophthalmic medical practitioner or specialist optometrist independent prescriber receives a request to accept a referral under sub paragraph 14(4)(i) the specialist ophthalmic medical practitioner or specialist optometrist independent prescriber may agree to accept the referral where they reasonably anticipate that they or another specialist ophthalmic medical practitioner or specialist optometrist independent prescriber providing general ophthalmic services at the same practice premises will be able to carry out any necessary eye examination.".

Insertion of paragraph 14A into schedule 1 of the 2006 Regulations

4. After paragraph 14 (eye examinations) of schedule 1 of the 2006 Regulations insert—

"General ophthalmic services for anterior eye conditions

14A.—(1) A Board may enter into an arrangement with an ophthalmic medical practitioner or an optometrist independent prescriber for the provision, in the Board's area, of general ophthalmic services for specified anterior eye conditions and such an ophthalmic medical practitioner or optometrist independent prescriber, having entered into an arrangement, is referred to in this paragraph as a "specialist ophthalmic medical practitioner" or, as the case may be, "specialist optometrist independent prescriber".

(2) An arrangement under sub paragraph (1)—

(a) may only be entered into with an ophthalmic medical practitioner or, as the case may be, optometrist independent prescriber who is on the Board's List, and

(b) is to be on a form supplied by the Agency.

(3) In this paragraph, "specified" means specified in the arrangement referred to in sub paragraph (1).".

JENNI MINTO
Authorised to sign by the Scottish Ministers

St Andrew's House
Edinburgh
5th November 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006 ("the 2006 Regulations") which make provision for general ophthalmic services under the National Health Service in Scotland.

Regulation 2 of these Regulations amends regulation 2 of the 2006 Regulations to insert new definitions.

Regulation 3 of these Regulations amends paragraph 14 of schedule 1 of the 2006 Regulations to insert new sub paragraphs (4A) to (4C) which contain requirements to be followed when referring a patient that shows signs of an anterior eye condition to an ophthalmic medical practitioner or optometrist independent prescriber.

Regulation 4 of these Regulations inserts a new paragraph 14A into schedule 1 of the 2006 Regulations which makes provision for a Health Board to enter into arrangements with ophthalmic medical practitioners and optometrist independent prescribers for the provision of general ophthalmic services for specified anterior eye conditions (such conditions being specified in the arrangements), such practitioners and prescribers being known as "specialists" for the purposes of those arrangements.

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