EXPLANATORY NOTE

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

The regulations provide for the preparation by Joint Ophthalmic Services Committees of lists of ophthalmic medical practitioners and ophthalmic and dispensing opticians who undertake to provide supplementary ophthalmic services; and for the arrangements which Executive Councils are required under Part IV of the National Health Service (Scotland) Act, 1947, to make with ophthalmic medical practitioners and ophthalmic and dispensing opticians for the provision of supplementary ophthalmic services. The terms of service for ophthalmic medical practitioners and ophthalmic and dispensing opticians are included as Schedules to the regulations.

The National Health Service (Qualifications for Supplementary Ophthalmic Services) (Scotland) Regulations, 1948

1948 No. 1383 (S. 108)

Made - - - -	*22nd June*, 1948
Laid before Parliament	*24th June*, 1948
Coming into Operation	*30th June*, 1948

In exercise of the powers conferred on me by Sections 42 and 80 of the 10 & 11 Geo. 6. c. 27. National Health Service (Scotland) Act, 1947, and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the National Health Service (Qualifications for Supplementary Ophthalmic Services) (Scotland) Regulations, 1948, and shall come into operation on the thirtieth day of June, 1948.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

" the Act " means the National Health Service (Scotland) Act, 1947.

" the appropriate committee " means any committee recognised by the Secretary of State for the purpose of approving the qualifications set out in these regulations for medical practitioners, ophthalmic opticians or dispensing opticians respectively.

52 & 53 Vict. c. 63. (2) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. For the purpose of Part IV of, and the Eighth Schedule to, the Act the expression " medical practitioner having the prescribed qualifications " means a medical practitioner who has—

(*a*) completed an academic or post-graduate course in ophthalmology approved by the appropriate committee and received a diploma or certificate in respect of such a course; or

(*b*) held for a period of two years an appointment as an ophthalmic surgeon or assistant ophthalmic surgeon on the staff of an eye hospital or a hospital having a special eye department; or

(*c*) held for a period of two years any appointment affording special opportunities for acquiring the necessary skill and experience of the kind required for the services to be rendered; or

(*d*) had immediately before the appointed day his name included in the list of medical practitioners prepared by either the British Medical Association, the National Ophthalmic Treatment Board or the Incorporated Ophthalmic Council for use by approved societies for the purpose of ophthalmic benefit under the National Health Insurance Act, 1936, 26 Geo. 5 & 1 Edw. 8. c. 32.

and who shall, to the satisfaction of the Secretary of State acting on the advice of the appropriate committee, have had adequate, including recent, experience.

4. The qualifications required by an ophthalmic optician for the purpose of Part IV of, and the Eighth Schedule to, the Act shall be that—

(*a*) he is in possession of one of the following diplomas or certificates:—

(i) The Fellowship Diploma of the British Optical Association;

(ii) The Honours Fellowship Diploma of the British Optical Association;

(iii) The Fellowship Diploma of the Worshipful Company of Spectacle Makers;

(iv) The Honours Fellowship Diploma of the Worshipful Company of Spectacle Makers;

(v) The Fellowship Diploma of the National Association of Opticians, if it was obtained after the 16th day of October, 1935;

(vi) The Fellowship Diploma of the Scottish Association of Opticians, if it was obtained after the 12th day of December, 1935;

(vii) The Membership Certificate of the Institute of Chemists-Opticians, if it was obtained after the 12th day of December, 1935; or

(*b*) he was immediately before the appointed day an optician on the list of the Ophthalmic Benefit Approved Committee constituted under the National Health Insurance Act, 1936;

(*c*) he has been in practice as an ophthalmic optician for fifteen out of the previous twenty years, including five years between the 1st day of October, 1930, and the 30th day of September, 1937,

and that he shall, to the satisfaction of the Secretary of State acting on the advice of the appropriate committee, have had adequate, including recent, experience as an ophthalmic optician.

5. The qualifications required by a dispensing optician for the purpose of Part IV of, and the Eighth Schedule to, the Act shall be that—

(*a*) he is in possession of one of the following diplomas or certificates:—

(i) any of the diplomas or certificates mentioned in sub-paragraph (*a*) of regulation 4 or the dispensing certificate of any of the examining bodies referred to in the said sub-paragraph;

(ii) The Associate Diploma or the Fellowship Diploma of the Association of Dispensing Opticians; or

(*b*) he has passed the practical side of the final dispensing examination of the Association of Dispensing Opticians and has been engaged as a dispensing optician for a period of five years; or

(*c*) he has been engaged as an optician for ten out of the previous fifteen years, and for five years between the 1st day of October, 1930, and the 30th day of September, 1937,

and that he shall, to the satisfaction of the Secretary of State acting on the advice of the appropriate committee, have had adequate, including recent, experience as a dispensing optician:

Provided that a person who is entitled to have his qualifications approved either under the last foregoing regulation or this regulation shall only be entitled to have his qualifications approved either as an ophthalmic optician or as a dispensing optician.

6. The qualifications required by an ophthalmic optician or a dispensing optician, being a firm or company (whether corporate or unincorporate) for the purpose of Part IV of the Act shall be that at all premises at which the firm or company provide supplementary ophthalmic services such services shall be in the charge of a director or member or employee of the firm or company who possesses—

(*a*) in the case of a firm or company who propose to provide services as ophthalmic opticians, the qualifications required under regulation 4;

(*b*) in the case of a firm or company who propose to provide services as dispensing opticians, the qualifications required under regulation 5.

7. Notwithstanding the foregoing provisions of these regulations a person who has the qualifications prescribed for a medical practitioner, ophthalmic optician or dispensing optician for the purpose of providing supplementary ophthalmic services in England and Wales under the National Health Service Act, 1946, or in Northern Ireland under the Health Services Act (Northern Ireland), 1948, shall for the purpose of Part IV of, and the Eighth Schedule to, the Act be deemed to have the corresponding qualifications prescribed by these regulations.

9 & 10 Geo. 6. c. 81.

Arthur Woodburn,
One of His Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
22nd June, 1948.

EXPLANATORY NOTE

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

These regulations prescribe qualifications for persons or firms or companies who provide supplementary ophthalmic services under the Act.