EXPLANATORY NOTE

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

These regulations revoke, with a few exceptions, the regulations in force under section 67 (1) of the National Health Service Act, 1946, and reproduce their provisions with necessary drafting alterations and certain minor alterations, mainly of an administrative character.

Regulations 15 (17), 15 (18), 28 (7) and 30 (8) are the main new provisions.

Regulation 15 (17) consequentially upon the retrospective application of rules made under section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, confers additional pension rights on persons who have left pensionable employment, to which those rules have become applicable, in order to enter the health service with a preservation of previous pension rights.

Regulation 15 (18) enables the Minister to grant pension rights in respect of previous service to persons formerly subject to local government pension schemes as officers in a hospital transferred to the Minister by the Act of 1946 who were not employed therein on the appointed day but who become or have become employed therein after the appointed day in circumstances in which under the existing regulations they are not entitled to reckon their previous service for pension purposes.

Regulations 28 (7) and 30 (8) enable persons who were transferred to the health service on the appointed day and who exercised an option not to take advantage of the benefits provided by the original regulations now to take advantage of the benefits provided by these regulations.

SUPPLEMENTARY OPHTHALMIC SERVICES

The National Health Service (Supplementary Ophthalmic Services) Amendment Regulations, 1950

1950 No. 1276

Made - - - -	28*th July*, 1950
Laid before Parliament	29*th July*, 1950
Coming into Operation	14*th August*, 1950

M.H. 110521.

The Minister of Health in exercise of his powers under sections 41 and 44, of the National Health Service Act, 1946(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

1.—(1) These regulations may be cited as the National Health Service (Supplementary Ophthalmic Services) Amendment Regulations, 1950, and shall come into operation on the fourteenth day of August, 1950.

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

(**a**) 9 & 10 Geo. 6. c. 81. (**b**) 52 & 53 Vict. c. 63.

2. The National Health Service (Supplementary Ophthalmic Services) Regulations, 1948(a), shall be amended as follows:—

(*a*) In sub-paragraph (*c*) of paragraph (1) of regulation 3 (which provides for the preparation of a statement determining charges for the supply of optical appliances) after the word " standard " there shall be inserted the words " and of special type ".

(*b*) In paragraph (1) of regulation 11 (which provides for the replacement and repair of optical appliances) the words " and in either case the prescription for the glasses was issued less than two years previously " shall be deleted and there shall be added at the end of that paragraph the following proviso:—

" Provided that the optician may, if he thinks it is necessary, require such a person to have his sight tested before providing such a service and provided further that, in the case of a person under the age of sixteen, the prescription for the glasses was issued within the previous twelve months ".

(*c*) In paragraph (1) of regulation 12 (which provides for charges to be made for replacement and repair of optical appliances necessitated by lack of care) after the word " shall " there shall be inserted the words:—

" , subject as hereinafter provided,".

(*d*) At the end of paragraph (2) of regulation 12 there shall be inserted the following proviso:—

" Provided that, if it appears to the Committee from any further representations made by the applicant that the payment of the charge so determined to be payable by him would involve undue hardship, the Committee may apportion the said charge between the applicant and the Council in such proportion as the Committee shall think fit ".

(*e*) In paragraph (2) of regulation 13 (which provides for the supply or repair of optical appliances of a special type) the word " standard " shall be deleted and there shall be substituted therefor the word " special ".

(*f*) At the end of paragraph 5 of Part II of the first schedule (which prescribes the terms of service for ophthalmic opticians) there shall be inserted the following sub-paragraph:—

" (3) The ophthalmic optician shall not give, promise or offer any gift or reward (whether by way of a share of, or a dividend on, the profits of the business or by way of discount or rebate or otherwise) as an inducement to any person to apply, or in consideration of any person applying, for supplementary ophthalmic services ".

(*g*) After paragraph 3 of Part III of the first schedule (which prescribes the terms of service for dispensing opticians) there shall be inserted the following paragraph:—

" 3A. The dispensing optician shall not give, promise or offer any gift or reward (whether by way of a share of, or a dividend on, the profits of the business or by way of discount or rebate or otherwise) as an inducement to any person to apply, or in consideration of any person applying, for supplementary ophthalmic services ".

Given under the official seal of the Minister of Health this twenty-eighth day of July nineteen hundred and fifty.

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

(a) S.I. 1948 (No. 1273) I, p. 2248.

EXPLANATORY NOTE

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

These regulations amend the National Health Service (Supplementary Ophthalmic Services) Regulations, 1948, (i) by providing that the statement of fees payable by an Executive Council for optical appliances supplied, shall include a scale of charges for both standard and special type appliances, (ii) by enabling an Ophthalmic Services Committee to reduce or waive any charge imposed for the replacement or repair of optical appliances occasioned by lack of care, where the payment would cause undue hardship upon the person against whom the charge is imposed, (iii) by prohibiting opticians from offering any financial inducement to persons in respect of the provision of Supplementary Ophthalmic Services and (iv) by enabling persons whose glasses were prescribed more than two years previously to have their glasses replaced or repaired in certain circumstances without a further test of sight.

The National Health Service (Supplementary Ophthalmic Services) Amendment (No. 2) Regulations, 1950

1950 No. 2092

Made - - - -	20*th December*, 1950
Laid before Parliament	21*st December*, 1950
Coming into Operation	1*st February*, 1951

M.H. 111,270.

The Minister of Health, in exercise of his powers under section 41 of the National Health Service Act, 1946(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the National Health Service (Supplementary Ophthalmic Services) Amendment (No. 2) Regulations, 1950, and shall come into operation on the first day of February, 1951.

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

2. There shall be inserted after regulation 23 of the National Health Service (Supplementary Ophthalmic Services) Regulations 1948(c), the following new regulation:—

"23A.—(1) Where it appears to the Committee, on an investigation of the forms No. 1 in the third schedule to these regulations completed by an ophthalmic medical practitioner or an ophthalmic optician after testing the sight of applicants for supplementary ophthalmic services, that there is a prima facie case for considering that, by reason of the number of glasses and the type of lenses prescribed in relation to the number of sight tests undertaken and to the degree of refractive error present, the cost incurred by the Council has been materially in excess of what was reasonably necessary for the proper treatment of the persons concerned, the matter shall be further considered by the Committee as hereinafter provided.

(a) 9 & 10 Geo. 6. c. 81. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1948 (No. 1273) I, p. 2248.