1956 No. 1078

The National Health Service (Supplementary Ophthalmic Services) Regulations, 1956

Made - - - -	12*th July*, 1956
Laid before Parliament	19*th July*, 1956
Coming into Operation	1*st October*, 1956

The Minister of Health, in exercise of the powers conferred on him by sections 41, 44, 45, 74 and 79 of the National Health Service Act, 1946(a), and section 1 of the National Health Service Act, 1951(b), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

PART I

General

Citation and commencement

1. These regulations may be cited as the National Health Service (Supplementary Ophthalmic Services) Regulations, 1956, and shall come into operation on the first day of October, 1956.

Interpretation

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

" the Act " means the National Health Service Act, 1946 ;

" children's glasses " means glasses for which a standard type of children's frame as described in the statement prepared under regulation 3 of these regulations is used ;

" Committee " means an Ophthalmic Services Committee appointed in accordance with the National Health Service (Executive Councils) Regulations, 1954(c) ;

" Council " means the Executive Council for any area ;

" dispensing optician " means a person, firm or company qualified as a dispensing optician in accordance with regulation 4 of these regulations ;

" enactment " includes an enactment in a regulation ;

" glasses " includes any optical appliance which may be supplied under supplementary ophthalmic services ;

" glasses of a special type " means glasses of a more expensive type than standard glasses ;

" ophthalmic medical practitioner " means a medical practitioner having the prescribed qualifications, being the qualifications prescribed by regulation 4 of these regulations ;

" ophthalmic optician " means a person, firm or company qualified as an ophthalmic optician in accordance with regulation 4 of these regulations ;

(a) 9 & 10 Geo. 6. c. 81. (b) 14 & 15 Geo. 6. c. 31.
(c) S.I. 1954/224 (1954 I, p. 1270), as amended by S.I. 1956/1075 (p. 1552 below).

"optician" means either an ophthalmic optician or a dispensing optician as the context may require;

"replacement" means the supply of glasses in place of glasses previously supplied under these regulations, or regulations revoked by these regulations, which have been lost, damaged or destroyed and which contained lenses conforming to the same prescription;

"standard glasses" means glasses which by virtue of regulation 16 of these regulations are the prescribed type of optical appliance for the purposes of section 44 of the Act;

"supply" in relation to glasses includes replacement.

(2) Unless the context otherwise requires references in these regulations to any enactment shall be construed as references to that enactment as amended or re-enacted by any subsequent enactment.

(3) References in any other regulations to the regulations revoked by these regulations or to any provision thereof shall be construed as references to these regulations or to the corresponding provisions thereof, as the case may be.

(4) Any references to a form in these regulations shall include references to a form substantially to the like effect.

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

PART II

General arrangements for the provision of supplementary ophthalmic services

Preparation of statement determining fees, etc.

3.—(1) The Minister shall, after consultation with such organisations as he may recognise as representative of medical practitioners and opticians providing supplementary ophthalmic services, cause to be prepared a statement which shall specify:—

(*a*) the fees payable for the testing of sight by ophthalmic medical practitioners and ophthalmic opticians and for the dispensing of glasses by ophthalmic and dispensing opticians;

(*b*) the types and quality of glasses which may be supplied;

(*c*) the charges to be paid by the Council in respect of the supply or repair of glasses;

(*d*) the charges to be paid by a person to whom or for whom an ophthalmic or dispensing optician supplies or repairs glasses.

(2) The said statement may be amended from time to time by the Minister after consultation with such organisations as aforesaid.

Qualifications of persons entitled to provide supplementary ophthalmic services

4.—(1) For the purposes of Part IV of the Act the expression "medical practitioner having the prescribed qualifications" means a medical practitioner who has either:—

(*a*) held an appointment under the Hospital and Specialist Services provided under Part II of the Act with the status of consultant ophthalmologist, or held for a period of two years an appointment of equivalent status as an ophthalmic surgeon or assistant ophthalmic surgeon on the staff

(a) 52 & 53 Vict. c. 63.

of an ophthalmic hospital or a hospital having a special ophthalmic department approved for this purpose by the committee hereinafter referred to, or

(*b*) obtained the Diploma in Ophthalmic Medicine and Surgery or the Diploma in Ophthalmology (Conjoint Board) or the Diploma in Ophthalmology (Oxon) or any other higher degree or qualification approved by the committee hereinafter referred to, and held for the period of two years an appointment or appointments in an ophthalmic hospital or the ophthalmic department of a general hospital which has been approved for this purpose by the committee, of which period at least six months shall have been spent in a resident appointment, or in an appointment with duties similar to those in a resident appointment,

and who has shown, to the satisfaction of the Minister acting on the advice of the committee, that he has had adequate, including recent, experience.

For the purpose of this paragraph the expression "the committee" means the committee recognised by the Minister for the purpose of approving any hospital, degree or qualification which is required by the paragraph to be approved and of advising the Minister in accordance with the requirements of the paragraph.

(2) Notwithstanding the provisions of the last preceding paragraph, a medical practitioner whose qualifications for the purposes of providing supplementary ophthalmic services had been and were still approved immediately before the first day of November, 1951, shall, so long as he possesses the qualifications then in force, be deemed to have the qualifications required by this regulation.

(3) The qualifications required by an ophthalmic optician for the purposes of Part IV of, and the Seventh Schedule to, the Act shall be that:—

(*a*) he was 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 or Honours Fellowship Diploma of the National Association of Opticians, if obtained subsequent to the 16th day of October, 1935;

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

(vii) The Ordinary Membership Certificate of the Institute of Optical Science (Incorporating the Institute of Chemists—Opticians)—

(*a*) where the member obtained his Membership Certificate of the Institute of Chemists—Opticians subsequent to the 12th day of December, 1935, or

(*b*) where the member has passed the Diploma in Ophthalmics examination of the Institute of Optical Science; or

(viii) The Higher Diploma for the Fellowship of the Institute of Optical Science.

(*b*) immediately before the fifth day of July, 1948, he was an optician on the list of the Ophthalmic Benefit Approved Committee constituted

under the National Health Insurance Act, 1936(a), or had 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 shows, to the satisfaction of the Minister acting on the advice of a committee recognised by him for the purpose, that he has had adequate, including recent, experience in the work of an ophthalmic optician.

(4) The qualifications required by a dispensing optician for the purposes of Part IV of, and the Seventh Schedule to, the Act shall be that:—

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

(i) any of the diplomas or certificates mentioned in sub-paragraph (*a*) of paragraph (3) of this regulation or the dispensing certificate of any of the examining bodies referred to in the said sub-paragraph;

(ii) The Fellowship Diploma or Honours 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*) immediately before the fifth day of July, 1948, he had 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 shows, to the satisfaction of the Minister acting on the advice of a committee recognised by him for the purpose, that he has had adequate, including recent, experience in the work of a dispensing optician.

(5) Notwithstanding the provisions of paragraphs (3) and (4) of this regulation, no person may be qualified concurrently as an ophthalmic optician and 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 purposes 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 paragraph (3) of this regulation, or

(*b*) in the case of a firm or company who propose to provide services as dispensing opticians, the qualifications required under paragraph (4) of this regulation.

(7) Notwithstanding the above provisions of this regulation, 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 Scotland under the National Health Service (Scotland) Act, 1947(b), or in Northern Ireland under the Health Services Act (Northern Ireland) 1948(c), shall for the purpose of Part IV of, and the Seventh Schedule to, the Act and these regulations be deemed to have the corresponding qualifications prescribed by these regulations.

(a) 26 Geo. 5 & 1 Edw. 8. c. 32.
(b) 10 & 11 Geo. 6. c. 27.
(c) 11 & 12 Geo. 6. c. 3. (N.I.).

Terms of service for ophthalmic medical practitioners, ophthalmic opticians and dispensing opticians

5. The arrangements which a Council is required by section 41 of the Act to make with ophthalmic medical practitioners and ophthalmic and dispensing opticians for the provision of supplementary ophthalmic services shall incorporate the terms of service contained in Parts I, II and III respectively of the first schedule to these regulations and the statement referred to in regulation 3 of these regulations.

Ophthalmic list

6.—(1) The Committee shall prepare a list in three parts, to be called "the ophthalmic list", of ophthalmic medical practitioners, ophthalmic opticians and dispensing opticians respectively who, having made application to the Committee on the appropriate form set out in the second schedule to these regulations, are entitled to be included in the list.

(2) The ophthalmic list shall contain, in addition to the names of ophthalmic medical practitioners and ophthalmic and dispensing opticians :—

(*a*) the address of any place at which they undertake to test sight or supply glasses ;

(*b*) particulars of the days and hours at which the service will normally be provided.

(3) Copies of the ophthalmic list shall be available for inspection at the offices of the Council and the Committee, and at such other places as appear to the Committee to be convenient for informing all persons interested and shall be kept revised up to date.

(4) The Committee shall send a copy of the ophthalmic list to the Council and to the Minister and shall within seven days inform each of them of any alteration which may from time to time be made therein. The Committee shall send a copy of the list to the Local Medical Committee, the Local Optical Committee, the Local Health Authority and the Regional Hospital Board, and at intervals of not more than three months shall notify each of them of any alteration made therein ; and if any Hospital Management Committee or Board of Governors of a hospital in the area shall so request, the Committee shall send them a copy of the said list.

Removal of name of practitioner or optician from ophthalmic list

7.—(1) Where a Committee have determined in accordance with the succeeding provisions of this regulation that a practitioner or an optician whose name has been included for the preceding six months in the ophthalmic list in the Council's area :—

(*a*) has never provided supplementary ophthalmic services for persons in the area since his name was last included in such list, or

(*b*) has for the preceding six months ceased to provide such services for such persons,

the Committee shall remove the name of the practitioner or optician from such list.

(2) Before making any determination under the last preceding paragraph the Committee shall (*a*) give the practitioner or optician 28 days' notice of their intention to do so, (*b*) afford the practitioner or optician an opportunity of making representations to the Committee in writing or, if he so desires, orally, and (*c*) consult the Local Medical Committee in the case of an ophthalmic medical practitioner, or the Local Optical Committee in the case of an ophthalmic optician or dispensing optician.

(3) Any document which is required or authorised to be given to a practitioner or optician under this regulation may be given by delivering it to him or by sending it in a prepaid letter addressed to him at his usual or last known address; and if the document is sent by post it shall be deemed, until the contrary is proved, to be served at the time at which a letter would be received in the ordinary course of post.

(4) Nothing in this regulation shall:—

(*a*) prejudice the right of a practitioner or optician to have his name included again in the ophthalmic list in accordance with section 41 (3) (*b*) of the Act, or

(*b*) affect a practitioner or optician who is called up voluntarily or otherwise for National Service under the National Service Act, 1948(a), or in any national emergency, and no determination under this regulation shall be made in respect of any such practitioner or optician until six months after the completion of his service.

Publication of particulars

8. The Committee shall cause to be published, in such manner as appears to them best calculated to inform all persons interested, particulars of the arrangements made by the Committee, including a statement of the places where copies of the terms of service for ophthalmic medical practitioners and ophthalmic and dispensing opticians and copies of the ophthalmic list may be seen, and any other particulars which the Committee think proper.

PART III

Method of obtaining supplementary ophthalmic services involving the testing of sight

9.—(1) A person receiving from a medical practitioner a recommendation in writing for supplementary ophthalmic services may present the same to any ophthalmic medical practitioner or ophthalmic optician whose name appears on an ophthalmic list.

(2) If a person is unable or unwilling on conscientious grounds to obtain such a recommendation he may apply to the Committee for authority to receive such services, and such an authority signed by the clerk of the Committee shall confer on the person the same rights as a recommendation given by a medical practitioner.

(3) If a person has previously received supplementary ophthalmic services involving a testing of sight he shall be entitled to receive such services without producing such a recommendation or authority as aforementioned.

10.—(1) An ophthalmic medical practitioner or ophthalmic optician, on receiving an application for supplementary ophthalmic services which involve the testing of sight, may, if such a recommendation or authority as is mentioned in regulation 9 of these regulations is produced to him, or if the applicant states that he has previously had his sight tested under the supplementary ophthalmic services, make such examination of the applicant's eyes as may be required.

Provided that the ophthalmic medical practitioner or ophthalmic optician shall only make such an examination where he has caused part I of the form No. 1 in the third schedule hereto to be completed by or on behalf of the applicant, and is satisfied after considering such part that in the circumstances such an examination is necessary.

(a) 11 & 12 Geo. 6. c. 64.

(2) Where an ophthalmic medical practitioner or ophthalmic optician has made such an examination, he shall forthwith complete part II, if glasses are required, and part V of the said form, and secure the completion of part IV, and forward the form with the recommendation or authority (if any) to the Committee.

11.—(1) Where the Committee, on the receipt of such form and after any such inquiry as they think proper, are satisfied that any glasses prescribed therein are not required by way of replacement or that, if they are required by way of replacement, such replacement is not necessitated by lack of care, they shall send to the applicant the upper detachable part of the form endorsed to the effect that the supply of glasses under the supplementary ophthalmic services is authorised, together with a note informing him that he may take it for dispensing to any ophthalmic or dispensing optician on the ophthalmic list.

(2) Where the Committee, on the receipt of such form and after any such inquiry as they think proper, are satisfied that the applicant is already in possession of such glasses as are prescribed therein, or that any glasses prescribed therein are required by way of replacement which has been necessitated by lack of care, they shall send him the upper detachable part of the form endorsed to the effect that the glasses will not be supplied at the cost of the Council, together with a note confirming the Council's decision. The provisions of paragraphs (1), (2) and (3) of regulation 15 of these regulations shall apply to the case of replacement necessitated by lack of care.

12.—(1) Subject as hereinafter provided, the form No. 1 endorsed with the Committee's approval shall authorise the optician to whom it is presented to supply as part of supplementary ophthalmic services lenses in accordance with the prescription, and such other optical appliances available under such services as may be required.

(2) The optician shall supply lenses as part of supplementary ophthalmic services only when they are fitted to a surrounding protective frame, but nothing in these regulations shall prevent him from supplying the lenses fitted to such a frame supplied at the specific request of the applicant otherwise than as part of such services.

(3) When the glasses have been supplied to the applicant the optician shall complete part VII of the form and obtain the applicant's signature to part IX, and subject to the next following paragraph shall forthwith return the form to the Committee for payment.

(4) The optician shall return the form to the Committee for payment and, except where children's glasses are supplied, part VIII thereof shall be duly completed.

PART IV

Method of obtaining supplementary ophthalmic services not involving the testing of sight

Replacement and repairs

13.—(1) Where a person requires a supplementary ophthalmic service which does not involve the testing of sight by reason of the fact that

(*a*) the service consists of the replacement of glasses, or

(*b*) the service consists of the repair of glasses whether or not supplied under these regulations,

he shall be entitled to apply for such service to any ophthalmic or dispensing optician whose name appears on an ophthalmic list.

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 shall require a sight test in the case of a person under the age of sixteen whose sight was last tested more than twelve months previously.

(2) If he accepts the application, the optician shall complete, or as the case may be secure the completion of, part I and so far as is applicable parts II, III, and IV of form No. 2 set out in the third schedule to these regulations and forward it to the Committee for approval, and on receipt of such approval and subject to any decision of the Committee under paragraph (2) of regulation 15 of these regulations shall provide the required service: Provided that the optician may provide such service without waiting for the Committee's approval:—

(*a*) when the form contains an admission signed by the applicant that the service is necessitated by lack of care on his part, and he has signed the undertaking in part III of the form to pay for replacement or repairs so necessitated, or

(*b*) in any other case, where the applicant has paid to the optician by way of deposit a sum equal to the optician's charges under these regulations.

(3) After providing the service the optician shall complete part VI of the form, and secure the applicant's signature to part VII, and forward the form to the Committee.

(4) When the optician receives a deposit under this regulation he shall give to the applicant a receipt in the form provided by the Committee for that purpose.

PART V

Charges payable by or on behalf of patients

Charges for supply of optical appliances

14.—(1) Subject to the provisions of this regulation an optician shall, in respect of the supply under these regulations of such optical appliances as are mentioned in the Schedule to the National Health Service Act, 1951, be entitled to make and recover the appropriate charge specified in the said Schedule, as modified by any Order in Council made under the National Health Service Act, 1952(a), and for the time being in force:

(2) (*a*) The optician shall secure, on part VIII of the form No. 1, in the third schedule hereto, an acknowledgement by the person to be supplied with such appliances, or where regulation 19 of these regulations applies, by the appropriate person on his behalf, of his obligation to pay the said charge.

(*b*) The optician shall send the said acknowledgement to the Committee.

(*c*) On receipt of any sum paid under this regulation the optician shall give a receipt therefor on a form to be provided for the purpose by the Committee.

(3) Any sum which but for this regulation would have been payable by the Council to the optician in respect of any such appliance shall be reduced by the amount payable by the person supplied by virtue of this regulation.

(4) Any payment required to be made under this regulation shall be without prejudice to any other charge authorised by these regulations and shall not include any charge made in respect of the replacement of lenses where the replacement is required in consequence of loss or damage.

(a) 15 & 16 Geo. 6. & 1 Eliz. 2. c. 25.

Charges for replacements and repairs due to lack of care

15.—(1) Where in the case of the repair of glasses or in the case of the replacement of glasses (other than frames, to which the provisions of the National Health Service Act, 1951, apply), (*a*) it is admitted that the service is necessitated by lack of care on the part of the applicant, or (*b*) it is determined in accordance with the following provisions of this regulation that the service is so necessitated, the appropriate charges shall be recoverable from the applicant and not from the Council:

Provided that if it appears to the Committee that the payment by the applicant would involve undue hardship, they may determine (whether or not the glasses repaired or provided by way of replacement are of a special type) that the whole or any part of the said charges shall be payable by the Council.

(2) Where the Committee have reason to think that the replacement or repair is necessitated by lack of care on the part of the applicant but such lack of care has not been admitted by him, they shall consider any representations which he may make or has made in writing with reference thereto, or if in their opinion the circumstances so require, they shall afford him an opportunity of making any further representations in writing or orally, and shall take any such representations into consideration before making a decision.

(3) Where it has been admitted or determined as aforesaid that the replacement or repair of glasses is necessitated by lack of care, the Committee shall, on returning the form to the optician, note the fact on the form and indicate that the charges, or such part of the charges as will not, under the preceding provisions of this regulation, fall on the Council, will be payable by the applicant. They shall also inform the applicant of any determination under this regulation.

(4) Any replacement or repair of glasses for which the prescription was issued within a period of two years previous to the application shall be presumed to be necessitated by lack of care on the part of the applicant unless he satisfies the Committee by such representations as aforesaid that the replacement or repair is not so necessitated.

(5) Where under paragraph (2) of regulation 13 of these regulations an optician has taken a deposit, he shall be entitled to retain it in satisfaction of his charges, but unless it is decided that the service is necessitated by lack of care the Council shall, if a claim for the repayment of the deposit is made to the Committee within three months after the payment thereof or such longer period as the Committee may in special circumstances allow, pay to the person who made the deposit the amount by which the deposit exceeds any charge payable by him.

Prescribed type of optical appliance

16. Glasses specified as standard glasses in the statement prepared under regulation 3 of these regulations shall be the prescribed type of optical appliance for the purposes of section 44 of the Act.

Charges for glasses of a special type

17.—(1) Subject to the provisions of regulation 15 of these regulations and of the National Health Service Act, 1951, where an optician has agreed at a person's request to supply, as part of the supplementary ophthalmic services, any glasses of a special type or to repair such glasses, he may require such person to pay in respect thereof a charge not exceeding such amount as is specified in the statement prepared under regulation 3 of these regulations.

Provided that, in the case of the replacement or repair of such glasses, if the Committee determine that in view of the circumstances of the person a smaller amount should be payable by him, and give notice in writing of their determination to the optician, the sum payable by that person shall not exceed such smaller amount.

(2) In a case to which paragraph (1) of this regulation applies the fee payable by the Council shall subject to the provisions of regulation 15 of these regulations be the appropriate charge specified in the said statement for the supply or repair of glasses of a special type, together with a sum representing the difference between the amount referred to in the said paragraph and the said smaller amount.

PART VI

School children

18.—(1) Without prejudice to their right to obtain supplementary ophthalmic services under and in accordance with the foregoing regulations, the provisions of this part of these regulations shall have effect in relation to pupils in attendance at any educational establishment maintained by a Local Education Authority, or at any other educational establishment with the proprietors of which the Local Education Authority have made arrangements for securing the medical inspection of, and the provision of medical treatment for, pupils attending the establishment in accordance with section 78 of the Education Act, 1944(a).

(2) In this part of the regulations "ophthalmic surgeon" means an ophthalmic medical practitioner on the ophthalmic list who is acting on behalf of a Local Education Authority; "medical officer" means a medical officer of a Local Education Authority within the meaning of the Education Act, 1944, who is not on such a list; and references to forms No. 1 and No. 2 shall be deemed to be references to forms No. 1 and No. 2 in the third schedule hereto stamped or marked in a conspicuous position thereon with the name of the said authority.

(3) When, on the examination of the eyes of a pupil, an ophthalmic surgeon or medical officer is of the opinion that he needs to be supplied with glasses, he may issue a prescription for the same on form No. 1 and after completing the appropriate parts of the form forward it to the Committee, together with, if the glasses are needed by way of replacement, a note of the circumstances in which replacement is required.

The appropriate parts of the form are, in the case of an ophthalmic surgeon, part I, part II and part V and, in the case of a medical officer, part I and part II (except the panel beginning "Name of Ophthalmic Medical Practitioner").

(4) On receiving the form the Committee, if satisfied that the pupil is not already in possession of lenses conforming to the prescription, shall deliver or send the upper detachable part of the form to the parent, guardian or other person having the charge of the pupil and shall at the same time inform him that the glasses may be obtained from any optician providing supplementary ophthalmic services.

(5) When, on the examination of the eyes of a pupil, an ophthalmic surgeon is of the opinion that he does not need to be supplied with glasses he may after completing the appropriate parts of form No. 1 forward the form to the Committee.

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

The appropriate parts of the form are part I, the "Remarks" panel in part II and part V.

(6) The Council shall pay to the ophthalmic surgeon the appropriate fee in respect of the testing of the pupil's sight.

(7) The provisions of regulation 12 of these regulations shall apply to the supply by an optician of the glasses prescribed as aforesaid.

(8) Where the replacement or repair of glasses is required by a pupil, an ophthalmic surgeon or medical officer or other duly authorised officer of the Local Education Authority may furnish him, on form No. 3 set out in the third schedule to these regulations, with authority to obtain the service from any optician providing supplementary ophthalmic services. The form shall be stamped with the name of the Local Education Authority and shall contain a brief statement signed by the parent, guardian or other person having charge of the pupil of the circumstances necessitating the service.

(9) On the presentation to him of the said authority the optician may replace or repair the glasses and shall complete, or as the case may be secure the completion of parts I (excluding the last panel), II, VI and VII of form No. 2 and shall thereupon forward such form to the Committee for payment.

(10) If the Committee, on investigation of the circumstances necessitating the replacement or repair of glasses, determine that they involved lack of care on the part of the pupil, they shall give written notice of their determination to the Local Education Authority and the Council shall thereupon be entitled to recover the cost of the service from that Authority.

(11) The provisions of regulation 17 of these regulations shall apply to the supply or to the replacement or repair of glasses under this part of these regulations.

(12) Save so far as they are specifically applied, the provisions of parts III, IV and V of these regulations shall not apply to services provided under this part.

PART VII

Miscellaneous

Exercise of choice of person by whom services are to be provided

19. The right to choose the person by whom supplementary ophthalmic services are to be provided or to sign an acknowledgement for the purposes of regulation 14 of these regulations shall be exercised :—

(*a*) on behalf of any person under the age of sixteen by the mother, or in her absence, the father, or, in the absence of both parents, the guardian or other person who has the care of the child: and

(*b*) on behalf of any other person who on account of old age, sickness or other infirmity is incapable of choosing a person to provide the services, by a relative or any person who has the care of such person.

Recovery of charges

20. Any sum payable under these regulations in respect of charges shall be recoverable summarily as a civil debt.

Isles of Scilly

21. In their application to the Isles of Scilly these regulations shall have effect as if—

(*a*) references to the Executive Council for the Isles were substituted for references to the Ophthalmic Services Committee ;

(*b*) any further consequential alterations of the regulations were made.

Revocation of regulations

22. The regulations named in the fourth schedule to these regulations are hereby revoked:

Provided that—

(*a*) such revocation shall not affect any right, privilege, obligation or liability acquired, accrued or incurred, or anything duly done or suffered, under those regulations;

(*b*) such revocation shall not affect any investigation under Part VIII, and any proceedings under Part IX, of the National Health Service (Supplementary Ophthalmic Services) Regulations, 1948(a), commenced before the revocation, and such investigations and proceedings shall be continued under the provisions of those regulations as if these regulations had not been made;

(*c*) such revocation shall not affect any legal proceedings commenced before the revocation, or the commencement of any proceedings to enforce any such right, privilege, obligation or liability as aforesaid, but any such proceedings may be continued or commenced as if these regulations had not been made;

(*d*) such revocation shall not affect any statement, list, certificate, notice, requirement, recognition, decision, determination, agreement, arrangement, condition or application, made, prepared, issued or given under the regulations so revoked, and every such statement, list, certificate, notice, requirement, recognition, decision, determination, agreement, arrangement, condition or application shall, so far as it could have been made, prepared, issued or given under these regulations, have effect as if it had been so made, prepared, issued or given.

FIRST SCHEDULE

PART I

Terms of Service for Ophthalmic Medical Practitioners

Interpretation

1. In these terms of service, except so far as the context otherwise requires, the expression "the regulations" means the National Health Service (Supplementary Ophthalmic Services) Regulations, 1956, and other words and expressions have the same meaning as in the regulations.

Incorporation of provisions of regulations, etc.

2. Any provisions of the regulations, of the statement prepared under regulation 3 of the regulations and of Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1956(b), affecting the rights and obligations of ophthalmic medical practitioners shall be deemed to form part of these terms of service.

Standard of service

3. In testing sight in accordance with the provisions of the regulations, the practitioner shall give proper care and attention and where glasses are necessary shall prescribe for them on form No. 1 set out in the third schedule to the regulations.

(a) S.I. 1948/1273 (Rev. XV, p. 638: 1948 II, p. 2248). (b) S.I. 1956/1077 (p. 1554 below).

4. Where a practitioner is of the opinion that a person whose eyes he has examined—

(*a*) does not require glasses, or

(*b*) shows on examination any abnormality of the eyes or otherwise requires treatment outside the scope of the supplementary ophthalmic services, or

(*c*) is not likely to secure a satisfactory standard of vision notwithstanding the application of corrective lenses, or

(*d*) should revisit him with a view to a further examination within six months,

he shall so inform his general medical practitioner.

Premises

5.—(1) The practitioner shall provide proper and sufficient consulting and waiting room accommodation and suitable instruments for the testing of sight.

(2) The practitioner on receipt of a written request shall admit any medical practitioner being an authorised officer of the Minister or any authorised member or officer of the Committee at all reasonable times to any consulting or waiting room under the control of the practitioner for the purpose of inspecting the said consulting or waiting room.

Records

6. In each case in which the practitioner tests sight under the regulations, he shall keep proper records and shall, if required to do so, produce such records to any medical practitioner being an authorised officer of the Minister.

Remuneration

7. The practitioner shall not suggest, demand or accept any fee or remuneration otherwise than under the regulations in respect of any supplementary ophthalmic services provided or to be provided by him:

Provided that nothing in this paragraph shall deprive the practitioner of any right to recover a reasonable charge from any person in respect of loss of remunerative time resulting from the failure of that person without sufficient excuse to keep an appointment, or in respect of a journey at the request of a person to his place of residence.

Deputies, assistants and partners

8.—(1) Save as provided in this paragraph in the case of deputies and assistants, the testing of sight shall be made by a practitioner personally, except where he is prevented by reason of other professional duties, temporary absence from home or other reasonable cause.

(2) A practitioner shall make all necessary arrangements for the testing of sight of any person where he is unable for any of the causes mentioned above to provide the service personally and shall inform the Committee of any standing arrangements for that purpose.

(3) A practitioner shall for the purposes of providing supplementary ophthalmic services employ only a deputy or assistant who is an ophthalmic medical practitioner.

(4) A practitioner shall not, without the consent of the Minister, employ as a deputy or assistant any practitioner who is disqualified under section 42 of the Act for inclusion in the ophthalmic list of the Committee.

(5) A deputy or assistant shall, in addition to signing with his own name any form or other document issued by him under these terms of service, insert therein, if it does not already appear, the name of the practitioner for whom he is acting as deputy or assistant.

(6) A practitioner shall be responsible for all acts and omissions of any practitioner acting as his deputy or assistant in relation to his obligations under these terms of service.

Revision of terms of service

9.—(1) The Committee may, subject to the approval of the Minister, alter the terms of service as from such date as the Minister may approve by giving notice of the proposed alterations to each practitioner.

(2) Except in the case of an alteration which results from the coming into operation of any Act of Parliament or from an amendment of any regulation, or of the statement prepared under regulation 3 of the regulations, the alteration shall not come into operation within a period of three months from the date of the issue of the notice.

Withdrawal from ophthalmic list

10. The practitioner shall be entitled at any time to give notice to the Committee that he desires to withdraw his name from the ophthalmic list and his name shall be removed therefrom at the expiration of three months from the date of such notice or of such shorter period as the Committee may agree:

Provided that if representations are made to the Tribunal under section 42 of the the Act that the continued inclusion of a practitioner in the ophthalmic list would be prejudicial to the efficiency of the supplementary ophthalmic services, he shall not, except with the consent of the Minister and subject to such conditions if any as the Minister may impose, be entitled to have his name removed from the list pending the termination of the proceedings on such representations.

Issue of notices to the practitioner

11. Any notice which a Committee is required or authorised by these terms of service to give to the practitioner shall be sufficiently given if it has been addressed to him and sent by post or delivered to or at the address which he has last notified the Committee as being his address.

PART II

Terms of Service for Ophthalmic Opticians

Interpretation

1. In these terms of service, except so far as the context otherwise requires, the expression " the regulations " means the National Health Service (Supplementary Ophthalmic Services) Regulations, 1956, and other words and expressions have the same meaning as in the regulations.

Incorporation of provisions of regulations, etc.

2. Any provisions of the regulations, of the statement prepared under regulation 3 of the regulations, and of Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1956, affecting the rights and obligations of ophthalmic opticians, shall be deemed to form part of these terms of service.

Standard of service

3. In testing sight in accordance with the provisions of the regulations, the ophthalmic optician shall give proper care and attention and where glasses are necessary shall prescribe for them on form No. 1 set out in the third schedule to the regulations.

4. Where an ophthalmic optician is of the opinion that a person whose eyes he has examined—

(*a*) does not require glasses, or

(*b*) shows on examination any abnormality of the eyes or otherwise requires treatment outside the scope of the supplementary ophthalmic services, or

(*c*) is not likely to secure a satisfactory standard of vision notwithstanding the application of corrective lenses, or

(*d*) should revisit him with a view to a further examination within six months,

he shall so inform his general medical practitioner.

5.—(1) An ophthalmic optician shall supply glasses in accordance with the prescription and, in supplying or repairing glasses in accordance with the provisions of the regulations, he shall employ proper care and attention and proceed with reasonable expedition.

(2) All glasses supplied by or through an ophthalmic optician shall conform to the types and quality set out in the statement referred to in regulation 3 of the regulations.

(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.

Premises

6.—(1) The ophthalmic optician shall provide proper and sufficient consulting, fitting and waiting room accommodation, and suitable instruments for the testing of sight and the supplying or repairing of glasses.

(2) The ophthalmic optician on receipt of a written request shall admit an authorised officer of the Minister or any authorised member or officer of the Committee at all reasonable times to any such accommodation under the control of the optician for the purpose of inspecting the same.

Records

7. In each case in which the ophthalmic optician tests sight or supplies or repairs glasses under the regulations, he shall keep proper records, and shall, if required to do so, produce such records to any authorised officer of the Minister.

Remuneration

8.—(1) The ophthalmic optician shall not suggest, demand or accept any fee or remuneration otherwise than under the regulations in respect of any supplementary ophthalmic services provided or to be provided by him:

Provided that nothing in this sub-paragraph shall deprive the optician of any right to recover a reasonable charge from any person in respect of loss of remunerative time resulting from the failure of that person without sufficient excuse to keep an appointment, or in respect of a journey made at the request of a person to his place of residence.

(2) Any remuneration payable under these terms of service to an ophthalmic optician, who is a member, director or employee of a firm or company providing supplementary ophthalmic services, may be paid by the Council to the firm or company.

Inability of an ophthalmic optician to complete service

9. If owing to the death of the person or other cause beyond the control of the ophthalmic optician, the optician is unable to supply the person with glasses which he has undertaken to supply under the regulations he shall notify the Committee in writing and he shall be entitled to such payment as may be approved by the Committee.

Arrangements for the provision of services

10.—(1) Where the name of a person, firm or company is included in the ophthalmic list as an ophthalmic optician in addition to the name of any employee, the person, firm or company shall be jointly responsible with such employee for any supplementary ophthalmic service provided by the employee.

(2) The ophthalmic optician shall make all necessary arrangements for the provision of supplementary ophthalmic services to persons to whom he has undertaken to provide such services.

(3) The ophthalmic optician for the purpose of testing sight shall only employ a person who is an ophthalmic optician, except that he may permit any part of

the test to be performed under his continuous personal supervision by a person who has passed all the necessary examinations for any of the diplomas or certificate specified in sub-paragraph (*a*) of paragraph (3) of regulation 4 of the regulations and who is obtaining experience in the work of an ophthalmic optician for the purpose of the said paragraph.

(4) The ophthalmic optician shall not without the consent of the Minister employ for the purposes of supplementary ophthalmic services any person who is disqualified under section 42 of the Act for inclusion in the ophthalmic list of the Committee.

(5) An employee who is an ophthalmic optician whose name is not on the ophthalmic list shall, in addition to signing with his own name any form or other document issued by him under these terms of service, insert therein, if it does not already appear, the name of his employer.

(6) The ophthalmic optician shall be responsible for all acts and omissions of an employee whose name is not included in the ophthalmic list.

(7) " An employee " for the purposes of this paragraph includes a deputy, and in the case of a firm or company any member or director.

Advertising

11.—(1) Except as provided in sub-paragraph (2) of this paragraph an ophthalmic optician shall not advertise either directly or by implication that his name is included in an ophthalmic list or that he provides or is authorised to provide services under the Act.

(2) Nothing in this paragraph shall prohibit the display at any premises at which the optician carries on his business of a notice in the following words:—

" NATIONAL HEALTH SERVICE

Ophthalmic Optician qualified to provide services under the National Health Service Act, 1946,
under contract with the .....
Ophthalmic Services Committee."

in a form approved by the Minister.

(3) For the purposes of this paragraph, the expression " advertise " includes—

(*a*) the publication of a notice in any newspaper or other printed paper issued periodically for public circulation ;

(*b*) the issue of circular letters ;

(*c*) the use of letter headings, bill or account headings and the like ;

(*d*) the publication of booklets, leaflets and pamphlets ;

(*e*) canvassing in any form ;

(*f*) the making of any public announcement by means of wireless, gramophone records or loudspeaker ;

(*g*) the display of any poster, placard, streamer or sign ;

(*h*) the exhibition of any film, slide or announcement at a theatre, cinema or other place of public entertainment or resort.

Use of disqualified name

12. An ophthalmic optician shall not use in any manner whatsoever the name or part of the name, either alone or in combination with any other words or letters, of, or used by, any other person, firm or company when providing supplementary ophthalmic services, so long as that person, firm or company is disqualified by the Tribunal for inclusion in any ophthalmic list:

Provided that nothing in this regulation shall prevent an ophthalmic optician from using his own name.

Fair wages

13. An ophthalmic optician shall, in respect of the categories of staff whose wages and conditions of work are approved by the Joint Industrial Council for the Ophthalmic Optical Industry, pay rates of wages and observe conditions not less favourable than those for the time being so approved.

Revision of terms of service

14.—(1) The Committee may, subject to the approval of the Minister, alter the terms of service as from such date as the Minister may approve by giving notice of the proposed alterations to each ophthalmic optician.

(2) Except in the case of an alteration which results from the coming into operation of any Act of Parliament or from an amendment of any regulation, or of the statement prepared under regulation 3 of the regulations, the alteration shall not come into operation within a period of three months from the date of the issue of the notice.

Withdrawal from ophthalmic list

15. The ophthalmic optician shall be entitled at any time to give notice to the Committee that he desires to withdraw his name from the ophthalmic list and his name shall be removed therefrom at the expiration of three months from the date of such notice or of such shorter period as the Committee may agree:

Provided that:—

(i) if representations are made to the Tribunal under section 42 of the Act that the continued inclusion of an ophthalmic optician in the ophthalmic list would be prejudicial to the efficiency of the supplementary ophthalmic services, he shall not, except with the consent of the Minister and subject to such conditions if any as the Minister may impose, be entitled to have his name removed from the list pending the termination of the proceedings on such representations.

(ii) An ophthalmic optician shall make satisfactory arrangements for the completion of any service which he has undertaken under the regulations.

Issue of notices to ophthalmic opticians

16. Any notice which a Committee is required or authorised by these terms of service to give to an ophthalmic optician shall be sufficiently given if it has been addressed to him and sent by post or delivered to or at the address which he has last notified the Committee as being his address.

PART III

Terms of Service for Dispensing Opticians

Interpretation

1. In these terms of service, except so far as the context otherwise requires, the expression "the regulations" means the National Health Service (Supplementary Ophthalmic Services) Regulations, 1956, and other words and expressions have the same meaning as in the regulations.

Incorporation of provisions of regulations, etc.

2. Any provisions of the regulations, of the statement prepared under regulation 3 of the regulations, and of Part II of the National Health Service (Service Committees and Tribunal) Regulations, 1956, affecting the rights and obligations of dispensing opticians, shall be deemed to form part of these terms of service.

Standard of service

3.—(1) A dispensing optician shall supply glasses in accordance with the prescription and in supplying or repairing glasses in accordance with the provisions of the regulations, he shall employ proper care and attention and proceed with reasonable expedition.

(2) All glasses supplied by or through a dispensing optician shall conform to the types and quality set out in the statement referred to in regulation 3 of the regulations.

(3) 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.

Premises

4.—(1) The dispensing optician shall provide proper and sufficient accommodation and suitable instruments for the supplying or repairing of glasses.

(2) The dispensing optician on receipt of a written request shall admit an authorised officer of the Minister or an authorised member or officer of the Committee at all reasonable times to any fitting or waiting room accommodation under the control of the optician for the purpose of inspecting the accommodation.

Records

5. In each case in which the dispensing optician supplies or repairs glasses under the regulations he shall keep proper records and shall, if required to do so, produce such records to any authorised officer of the Minister.

Remuneration

6.—(1) The dispensing optician shall not suggest, demand or accept any fee or remuneration otherwise than under the regulations in respect of any supplementary ophthalmic services provided or to be provided by him:

Provided that nothing in this sub-paragraph shall deprive the optician of any right to recover a reasonable charge from any person in respect of loss of remunerative time resulting from the failure of that person without sufficient excuse to keep an appointment, or in respect of a journey made at the request of a person to his place of residence.

(2) Any remuneration payable under these terms of service to a dispensing optician, who is a member, director, or employee of a firm or company providing supplementary ophthalmic services, may be paid by the Council to the firm or company.

Inability of a dispensing optician to complete service

7. If owing to the death of the person or other cause beyond the control of the dispensing optician, the optician is unable to supply him with glasses which he has undertaken to supply under the regulations he shall notify the Committee in writing and he shall be entitled to such payment as may be approved by the Committee.

Arrangements for the provision of service

8.—(1) When the name of a person, firm or company is included in the ophthalmic list as a dispensing optician in addition to the name of any employee, the person, firm or company shall be jointly responsible with any such employee for any supplementary ophthalmic service provided by the employee.

(2) The dispensing optician shall make all necessary arrangements for the fitting and supply of glasses to persons to whom he has undertaken to provide them.

(3) The dispensing optician shall not without the consent of the Minister employ for the purposes of supplementary ophthalmic services any person who is disqualified under section 42 of the Act for inclusion in the ophthalmic list of the Committee.

(4) An employee who is a dispensing optician whose name is not on the ophthalmic list shall, in addition to signing with his own name any form or other document issued by him under these terms of service, insert therein, if it does not already appear, the name of his employer.

(5) The dispensing optician shall be responsible for all acts and omissions of an employee whose name is not included in the ophthalmic list.

(6) " An employee " for the purpose of this paragraph includes a deputy, and in the case of a firm or company any member or director.

Advertising

9.—(1) Except as provided in sub-paragraph (2) of this paragraph a dispensing optician shall not advertise either directly or by implication that his name is included in the list of an Ophthalmic Services Committee or that he provides or is authorised to provide services under the Act.

(2) Nothing in this regulation shall prohibit the display at any premises at which the optician carries on his business of a notice in the following words:—

" NATIONAL HEALTH SERVICE

Dispensing Optician qualified to provide services under the National Health Service Act, 1946, under contract with the ..... Ophthalmic Services Committee."

in a form approved by the Minister.

(3) For the purposes of this paragraph, the expression " advertise " includes:

(*a*) The publication of a notice in any newspaper or other printed paper issued periodically for public circulation ;

(*b*) the issue of circular letters ;

(*c*) the use of letter headings, bill or account headings and the like ;

(*d*) the publication of booklets, leaflets and pamphlets ;

(*e*) canvassing in any form ;

(*f*) the making of any public announcement by means of wireless, gramophone records or loudspeaker ;

(*g*) the display of any poster, placard, streamer or sign ;

(*h*) the exhibition of any film, slide or announcement at a theatre, cinema or other place of public entertainment or resort.

Use of disqualified name

10. A dispensing optician shall not use in any manner whatsoever the name or part of the name, either alone or in combination with any other words or letters, of, or used by, any other person, firm or company when providing supplementary ophthalmic services, so long as that person, firm or company is disqualified by the Tribunal for inclusion in any ophthalmic list:

Provided that nothing in this regulation shall prevent a dispensing optician from using his own name.

Fair wages

11. A dispensing optician shall, in respect of the categories of staff whose wages and conditions of work are approved by the Joint Industrial Council for the Ophthalmic Optical Industry, pay rates of wages and observe conditions not less favourable than those for the time being so approved.

Revision of terms of service

12.—(1) The Committee may, subject to the approval of the Minister, alter the terms of service as from such date as the Minister may approve by giving notice of the proposed alterations to each dispensing optician.

(2) Except in the case of an alteration which results from the coming into operation of any Act of Parliament or from an amendment of any regulation, or of the statement prepared under regulation 3 of the regulations, the alteration shall not come into operation within a period of three months from the date of the issue of the notice.

Withdrawal from ophthalmic list

13. The dispensing optician shall be entitled at any time to give notice to the Committee that he desires to withdraw his name from the ophthalmic list and his name shall be removed therefrom at the expiration of three months from the date of such notice or of such shorter period as the Committee may agree

Provided that:—

(i) if representations are made to the Tribunal under section 42 of the Act that the continued inclusion of a dispensing optician in the ophthalmic list would be prejudicial to the efficiency of the supplementary ophthalmic services, he shall not, except with the consent of the Minister and subject to such conditions if any as the Minister may impose, be entitled to have his name removed from the list pending the termination of the proceedings on such representations.

(ii) A dispensing optician shall make satisfactory arrangements for the completion of any service which he has undertaken under the regulations.

Issue of notices to dispensing opticians

14. Any notice which a Committee is required or authorised by these terms of service to give to a dispensing optician shall be sufficiently given if it has been addressed to him and sent by post or delivered to or at the address which he has last notified the Committee as being his address.

SECOND SCHEDULE

Form of Application for Inclusion in Ophthalmic List

I. Ophthalmic Medical Practitioner

To the Ophthalmic Services Committee for .....

I .....

of .....

being a medical practitioner having the qualifications prescribed for the purpose of section 41 of the National Health Service Act, 1946, undertake under the arrangements for Supplementary Ophthalmic Services to test sight on the terms in operation in the Committee's area, and apply to have my name included in the Ophthalmic List.

Particulars of my usual surgery hours are given below.

Address of Surgery.	*Days and Hours of Attendance.*
.....	.....
.....	.....

* I am practising in partnership with .....

of .....

* I am acting as an assistant to.....

of .....

Signed .....

Central Professional Committee Number .....

Date .....

* To be completed where appropriate.

Form of Application for Inclusion in Ophthalmic List

II. OPHTHALMIC OPTICIANS

To the Ophthalmic Services Committee for .....

I (We) .....

of .....

an ophthalmic optician (or firm or company of ophthalmic opticians) having the qualifications prescribed for the purposes of section 41 of the National Health Service Act, 1946, undertake under the arrangements for Supplementary Ophthalmic Services to test sight and supply glasses on the terms in operation in the Committee's area and apply to have my (our) name(s) included in the Ophthalmic List. My (Our) consulting rooms or other premises for this purpose and usual hours of service are:—

Address(es) of Consulting Rooms or other premises.	*Days and Hours of Service*	
	Days	*Hours*
.....	.....	
.....	.....	

‡I am employed by .....

of .....

*The ophthalmic optician(s) having the prescribed qualifications who is (are) in charge at this (these) address(es) is (are)

.....

.....

†The names of the members or partners of the firm (or company), which is registered under the Registration of Business Names Act, 1916, are .....

.....

.....

Signed .....

Central Professional Committee Number .....

Date .....

---

‡ To be completed where appropriate.

* To be completed only where application is being made by a firm or company.

† To be completed where application is being made by a firm or unincorporated company registered under the Registration of Business Names Act, 1916.

Form of Application for Inclusion in Ophthalmic List

III. DISPENSING OPTICIANS

To the Ophthalmic Services Committee for .....

I (We) .....

of .....

a dispensing optician (or firm or company of dispensing opticians) having the qualifications prescribed for the purposes of section 41 of the National Health Service Act, 1946, undertake under the arrangements for Supplementary Ophthalmic Services to supply glasses on the terms in operation in the Committee's area and apply to have my (our) name(s) included in the Ophthalmic List.

My (Our) premises and usual hours of service are :—

Address(es) of Premises.	*Days and Hours of Service.*	
	Days	*Hours*
.....	.....	.....
.....	.....	.....

‡I am employed by .....

of .....

*The dispensing optician(s) having the prescribed qualifications who is (are) in charge at this (these) address(es) is (are)

.....

.....

†The names of the members or partners of the firm (or company), which is registered under the Registration of Business Names Act, 1916, are .....

.....

.....

Signed .....

Central Professional Committee Number .....

Date .....

---

‡ To be completed where appropriate.

* To be completed only where application is being made by a firm or company.

† To be completed where application is being made by a firm or unincorporated company registered under the Registration of Business Names Act, 1916.

THIRD SCHEDULE

Form No. 1

FORM O.S.C.2

NATIONAL HEALTH SERVICE
SUPPLEMENTARY OPHTHALMIC SERVICES
SIGHT TESTING AND SUPPLY OF GLASSES

Part I

To be completed by or on behalf of the Applicant (i.e. the person whose sight is to be tested)

Christian Names and Surname of Applicant (Block Letters) Mr. / Mrs. / Miss	National Health Service Number	Date of Birth
Present Address	Permanent Home Address (if different from present address)	
Approximate date on which sight was last tested	Previous surname if changed in last five years	

Has the Applicant been supplied with glasses through the National Health Service? (Enter Yes or No).....
If Yes, state name and address of the Optician who supplied last pair .....

(N.B.—A false statement made with fraudulent intent by the Applicant may lead to legal Proceedings)

I certify that the particulars contained in Part I are true to the best of my knowledge and belief — Date

Signature of Applicant..... { or in the case of a child or invalid, the signature of parent, guardian or other person in charge

Part II

To be completed by the Ophthalmic Medical Practitioner or the Ophthalmic Optician and sent to the Ophthalmic Services Committee after Parts IV and V have been completed

	Right						Left				
	Sph.	Cyl.	Axis	Prism	Base		Sph.	Cyl.	Axis	Prism	Base
Distance						Distance					
Reading						Reading					

Remarks

Name of Ophthalmic Medical Practitioner or Ophthalmic Optician giving sight test and address at which test was given (rubber stamp or block letters)	The Applicant requires glasses as prescribed above Signature of Ophthalmic Medical Practitioner or of Ophthalmic Optician [on his own behalf and on behalf of .....] Signature ..... O.S.C. List No. ..... Date.....

Part III

For Official Use

		Approved

PLEASE DO NOT DETACH THIS PART OF THE FORM | Applicant's surname..... (Block letters)

Part IV

To be completed by or on behalf of the Applicant

My sight / The Applicant's sight } *(Delete whichever is not applicable)* has been tested to-day

Signature of Applicant..... Date.....
(or, in the case of a child or an invalid, the signature of a parent, guardian or other person in charge)

Part V

To be completed by the Ophthalmic Medical Practitioner or the Ophthalmic Optician

Name and address of Ophthalmic Medical Practitioner or Ophthalmic Optician or Firm to whom payment should be made (rubber stamp or block letters)	I have tested the Applicant's sight. Payment of £ : : is claimed Signature of Ophthalmic Medical Practitioner or of Ophthalmic Optician [on his own behalf and on behalf of .....] Signature ..... O.S.C. List No..... Date.....

Part VI

For Official Use

Authorised for payment		

Part VII

To be completed by the Optician who supplies the glasses and sent to the Ophthalmic Services Committee after Part VIII and Part IX have been completed as appropriate (Part VIII should not be completed where children's standard glasses have been supplied, i.e. there is no charge to the Applicant).

Details of glasses supplied to the Applicant to the prescription overleaf

Description of lenses . . . .

Distance .....

Reading .....

Description of frames (if supplied)

.....

Distance .....

Reading .....

Scale fees due from Applicant and O.S.C.

	Distance £	s.	d.	Reading £	s.	d.
1. Lens—right						
2. Lens—left						
3. Extras clinically necessary						
4. Extras not clinically necessary						
5. Frames						
6. Case						
7. Dispensing fee						
8. Totals						

Charge to	£	s.	d.
1. Applicant—			
(i) At £1 per pair (10/- per lens)			
(ii) Extras not clinically necessary			
(iii) Frames			
(iv) Total charge to applicant			
2. O.S.C.			
3. Total			

Name and address of Optician or Firm to whom payment should be made (rubber stamp or block letters)

I have supplied the Applicant with the glasses described above and I claim payment of £ : : from the Ophthalmic Services Committee. This sum does not include the amount due from the Applicant.

Signature of Optician [on his own behalf and on behalf of

.....]

Signature .....

O.S.C. List No.....

Date .....

Part VIII

Relevant undertakings to be completed by or on behalf of the Applicant. Those not applicable should be deleted. The Optician may ask for a deposit.

I undertake to pay the Optician on supply of glasses to the prescription overleaf:—

(1) the sum of £1 per pair (or 10/- per lens) and

(2) the charge of £ : : for National Health Service frames selected by me.

(3) the charge of £ : for lenses of a special type supplied at my request.

Signature of Applicant..... ...Date .....

(or in the case of a child or an invalid, the signature of parent, guardian or other person in charge)

Part IX

To be completed by or on behalf of the Applicant.

I have been / The Applicant has been } (*Delete whichever is not applicable*) supplied with the glasses described above

Signature of Applicant..... Date .....

(or in the case of a child or an invalid, the signature of parent, guardian or other person in charge)

Part X

For Official Use.

Amount payable

£ : :

Authorised for payment

THIS PART OF THE FORM TO BE LEFT BLANK

FORM O.S.C. 2A

Form No. 2

NATIONAL HEALTH SERVICE

SUPPLEMENTARY OPHTHALMIC SERVICES

REPLACEMENT OR REPAIR OF GLASSES

PART I

To be completed by or on behalf of the applicant.

Surname (*In block letters*)	Mr. Mrs. Miss, etc.	National Health Service Number.

Christian Names	Previous Surname if changed in last five years.	Date of birth.

Present Address	Permanent Home Address (*if different from present address*)

Name and address of optician who supplied the glasses	Approximate date on which sight was last tested.

The loss or damage $\frac{\text{was}}{\text{was not}}$ caused by lack of care. (*Delete as appropriate.*)

I certify that the particulars contained in Part I are true to the best of my knowledge and belief.

Signature of applicant.....Date.....
(or in the case of a child or invalid, the signature of a parent, guardian, or other person in charge).

Notes for the guidance of the Applicant

You will normally have to pay the cost of repairing or replacing glasses lost or damaged unless you can show, to the satisfaction of the Ophthalmic Services Committee, that the loss or damage was not caused by lack of care.

If you admit lack of care, the optician may proceed at once with the work at your expense.

If you do not admit lack of care, you can do one of two things: (*a*) you can pay the optician a deposit equal to the full cost of repair or replacement, in which case he can proceed with the work. The back of the receipt which the optician will give you for the deposit may be used by you to ask the Ophthalmic Services Committee whether they will refund the appropriate amount. (*b*) If you do not wish to pay a deposit, the prior approval of the Committee to the work is required. In this case the optician will ask you for a written statement of the cause of the loss or damage, and he will send your statement with this form to the Ophthalmic Services Committee who will notify you of their decision.

PART II

To be completed by the optician.

Name and address of optician or firm (rubber stamp or block letters)

Prescription (where appropriate)

	RIGHT					LEFT				
	Sph.	Cyl.	Axis	Prism	Base	Sph.	Cyl.	Axis	Prism	Base
Distance										
Reading										

Details of Repairs or Replacements.

Description of frames, if any.	Description of lenses, if any.
Distance.....	Distance .....
Reading	Reading.....

Other repairs if any.

Charges due to Optician: all payable by applicant if there has been lack of care.

	Distance £ s. d.	Reading £ s. d.	Division of Charges if no lack of care. (Complete only if appropriate). Applicant £ s. d.	O.S.C. £ s. d.
1. Lens—right			– – –	
2. Lens—left			– – –	
3. Extras clinically necessary			– – –	
4. Extras not clinically necessary				– – –
5. Frames, fronts, sides or solder repairs				
6. Case			– – –	
7. Dispensing or service fee			– – –	
Totals				

PART III

If lack of care is admitted, to be completed:—
(*a*) by the optician
(*b*) by or on behalf of the applicant.

(*a*) My charge to the applicant for repairs or replacements necessitated by lack of care is £ : :
Signature of optician (on his own behalf and on behalf of .....)
Signature .....
O.S.C. List No.....
Date .....

(*b*) I undertake to pay the optician the sum mentioned opposite for repairs or replacements necessitated by lack of care.
Signature of applicant (or in the case of a child or invalid, the signature of a parent, guardian, or other person in charge)
.....
Date .....

PART IV

If lack of care is not admitted, to be completed so far as appropriate.
(*a*) by the optician
(*b*) by or on behalf of the applicant.

(*a*) I submit this form to the Ophthalmic Services Committee for a decision. My charge to the applicant is as shown in Part II according to whether or not the Committee find there has been a lack of care. (The applicant has paid £ : : as a deposit)
Signature of optician (on his own behalf and on behalf of .....)
Signature .....
O.S.C. List No.....
Date .....

(*b*) I undertake to pay the optician £ : : towards glasses replaced or parts fitted at my request or the whole cost if the Committee decide that replacement or repair is necessary on account of lack of care
Signature of applicant (or in the case of a child or invalid, the signature of a parent, guardian or other person in charge)
.....
Date .....

PART V

For official use

PART VI

To be completed by the optician

I have carried out the repairs or supplied the replacements described in Part II overleaf (and I claim payment of £ : : from the Ophthalmic Services Committee. This sum does not include any amount due from the applicant)*

Signature of optician (on his own behalf and on behalf of.....)
Signature .....
O.S.C. List No..... Date.....

* Delete the words in brackets if not appropriate.

Part VII
To be completed by or on behalf of the applicant.

The repairs have been carried out or the replacements have been supplied as described in Part II overleaf.
Signature of applicant..... Date.....
(or in the case of a child or invalid, the signature of a parent, guardian or other person in charge)

Part VIII

For official use.

Amount payable
£ : :
Authorised for payment

FORM No. 3

SUPPLEMENTARY OPHTHALMIC SERVICES

Replacement or Repair of Glasses for Schoolchildren

Part I. To be completed by the parent or guardian

Name of child .....

Address .....

National Health Service No. .....

Cause of loss or damage:—

Signed ... .

Date .....

Part II. To be completed by the medical officer or ophthalmic surgeon or other duly authorised officer of the Local Education Authority

To AN OPTICIAN providing Supplementary Ophthalmic Services:

You are authorised to proceed with the $\frac{\text{replacement*}}{\text{repair*}}$ of the glasses of the above named child without seeking the prior approval of the Ophthalmic Services Committee and without asking for the payment of a deposit by the parent or guardian provided you submit this form to the Opthalmic Services Committee with your claim for payment after completion of the work.

Signature .....

On behalf of .....L.E.A.

Date .....

* Delete whichever is not applicable.

FOURTH SCHEDULE

REGULATIONS REVOKED

The National Health Service (Supplementary Ophthalmic Services) Regulations, 1948(a).

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

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

The National Health Service (General Dental and Supplementary Ophthalmic Services) Regulations, 1951(d).

The National Health Service (Supplementary Ophthalmic Services) Amendment Regulations, 1953(e).

Given under the official seal of the Minister of Health this twelfth day of July, nineteen hundred and fifty-six.

(L.S.)

Robert H. Turton,
Minister of Health.

EXPLANATORY NOTE

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

These regulations are a consolidation of the National Health Service (Supplementary Ophthalmic Services) Regulations, 1948 (as amended), with a number of amendments.

The main amendments provide for :—

(1) the incorporation in these regulations of the provisions as to the qualifications of ophthalmic medical practitioners and opticians, formerly contained in the National Health Service (Executive Councils) Regulations, 1954 (regulation 4).

(2) the supply of lenses under supplementary ophthalmic services only when they are fitted to a surrounding protective frame (regulation 12).

(3) the testing of sight under the continuous personal supervision of an ophthalmic optician by a person who has passed the necessary examinations and who is obtaining the necessary experience, for qualification under the regulations (paragraph 10 (3) of part II of the first schedule).

(4) the prohibition of the use by an optician of a name used by another optician who is disqualified by the Tribunal for inclusion in an ophthalmic list (paragraph 12 of part II and paragraph 10 of part III of the first schedule).

(5) the use of new forms in respect of the testing of sight and replacement of glasses (third schedule).

In addition, the provisions as to investigations, and inquiries by the Tribunal have been transferred from the regulations now revoked to the National Health Service (Service Committees and Tribunal) Regulations, 1956.

(a) S.I. 1948/1273 (Rev. XV, p. 638: 1948 II, p. 2248).
(b) S.I. 1950/1276 (1950 I, p. 1431).
(c) S I. 1950/2092 (1950 I, p. 1433).
(d) S.I. 1951/867 (1951 I, p. 1393).
(e) S.I. 1953/1177 (1953 I, p. 1301).