1995 No. 114

HEALTH AND PERSONAL SOCIAL SERVICES

Optical Charges and Payments (Amendment No. 2) Regulations (Northern Ireland) 1995

Made	*22nd March 1995*
Coming into operation . .	*1st April 1995*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 98 and 106 of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf, with the approval of the Department of Finance and Personnel, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Optical Charges and Payments (Amendment No. 2) Regulations (Northern Ireland) 1995 and shall come into operation on 1st April 1995.

(2) In these regulations, "the principal regulations" means the Optical Charges and Payments Regulations (Northern Ireland) 1989(**b**).

Amendment of regulation 1 of the principal regulations

2. In regulation 1(2) of the principal regulations (citation, commencement and interpretation), after the definition of "complex appliance", there shall be inserted the following definition—

" "disability working allowance" means disability working allowance under Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**c**);".

Amendment of regulation 2 of the principal regulations

3. In regulation 2 of the principal regulations (charges for optical appliances supplied by a Board)—

(*a*) in paragraph (3) for "£37·80" there shall be substituted "£38·60";

(*b*) in paragraph (5)(*b*) for "£46·40" and "£75·40" in both places where they occur there shall be substituted "£47·30" and "£76·90" respectively.

(**a**) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1984/1158 (N.I. 8) Article 3(2) and paragraph 3 of Schedule 1; S.I. 1988/2249 (N.I. 24) paragraphs 4 and 5 of Article 8, and S.I. 1991/194 (N.I. 1) Article 34 and Part II of Schedule 5; there are other amendments which are not relevant

(**b**) S.R. 1989 No. 114 as amended by S.R. 1990 No. 99, S.R. 1991 Nos. 115 and 332, S.R. 1992 Nos. 155 and 242, S.R. 1993 No. 141 and S.R. 1994 No. 100

(**c**) 1992 c. 7

Amendment of regulation 4(2) of the principal regulations

4. In regulation 4 of the principal regulations (completion and use of voucher — sight tests), in paragraph (2), after the word "patient" there shall be inserted—

", the patient's date of birth".

Amendment of regulation 8 of the principal regulations

5.—(1) Regulation 8 of the principal regulations (eligibility — supply of optical appliances) shall be amended as follows.

(2) In paragraph (3), the word "or" at the end of head (*e*) shall be omitted and after head (*f*) there shall be added—

"(*g*) he is in receipt of disability working allowance and his capital resources, calculated in accordance with the regulations concerning entitlement to that allowance(**a**), were not more than £8,000 at the time that allowance was claimed; or

(*h*) he is a member of the same family as a person described in head (*g*).".

(3) For paragraph (4) there shall be substituted—

"(4) In paragraph (3), "family" (in reference to membership of the same family) has the meaning given to it by section 133(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—

(*a*) as it applies to income support(**b**), in the case of paragraph (3)(*b*) and (*f*);

(*b*) as it applies to family credit(**c**), in the case of paragraph (3)(*d*); and

(*c*) as it applies to disability working allowance(**d**), in the case of paragraph (3)(*h*).".

Amendment of regulation 9 of the principal regulations

6. In regulation 9 of the principal regulations (issue of vouchers by ophthalmic medical practitioners or opticians) in paragraph 3(*b*), for the words "the patient's age if under 19" there shall be substituted "the patient's date of birth".

Amendment of regulation 10 of the principal regulations

7. In regulation 10 of the principal regulations (issue of vouchers by the Central Services Agency) in paragraph 3(*b*), for the words "the patient's age if under 19" there shall be substituted "the patient's date of birth".

(**a**) S.R. 1992 No. 78

(**b**) *See* S.R. 1987 No. 459, regulations 14 to 16; relevant amending regulations are S.R. 1988 No. 146, S.R. 1989 No. 139, S.R. 1990 Nos. 131 and 387 and S.R. 1993 Nos. 149 and 373

(**c**) *See* S.R. 1987 No. 463, regulations 6 to 9; relevant amending regulations are S.R. 1988 No. 131, S.R. 1990 Nos. 138 and 387 and S.R. 1993 No. 373

(**d**) *See* S.R. 1992 No. 78, regulations 8 to 11 as amended by S.R. 1993 No. 373

Amendment of regulation 11 of the principal regulations

8. In regulation 11 of the principal regulations (issue of vouchers by Boards) in paragraph 3(*b*), for the words "the patient's age if under 19" there shall be substituted "the patient's date of birth".

Amendment of regulation 17 of the principal regulations

9. In regulation 17 of the principal regulations (completion of vouchers) in paragraphs (2)(*b*) and (3)(*c*), for the words "the patient's age if under 16" there shall be substituted "the patient's date of birth".

Amendment of regulation 20 of the principal regulations

10. In regulation 20 of the principal regulations (redemption value of voucher for replacement or repair)—

(*a*) in paragraph (1)(*b*) for "£37·80" there shall be substituted "£38·60"; and

(*b*) in paragraph (3) for "£9·60" there shall be substituted "£9·90".

Amendment of Schedules to the principal regulations

11.—(1) In Schedule 1 to the principal regulations (voucher letter codes and face values — supply and replacement)(**a**) in column 3 (face value of voucher) for each amount specified in column 1 of the Table below (old amount) there shall be substituted the amount specified in relation to it in column 2 of that Table (new amount).

TABLE

Column 1 *Old amount*	Column 2 *New amount*
£ 25·50	£ 26·40
£ 39·30	£ 40·10
£ 53·60	£ 54·70
£105·20	£107·30
£ 44·00	£ 45·50
£ 56·80	£ 57·90
£ 68·40	£ 69·80
£115·70 (in both places where it appears)	£118·00
£ 37·80	£ 38·60

(2) In Schedule 2 to the principal regulations (prisms, tints, photochromic lenses, small and special glasses and complex appliances)—

(*a*) in paragraph 1(1)(*a*) (prism — single vision lens) for "£4·90" there shall be substituted "£5·10";

(**a**) Schedule 1 was substituted by regulation 4 of S.R. 1992 No. 155

(*b*) in paragraph 1(1)(*b*) (prism — other lens) for "£6·10" there shall be substituted "£6·30";

(*c*) in paragraph 1(1)(*c*) (single vision tinted lens) for "£2·50" there shall be substituted "£2·60";

(*d*) in paragraph 1(1)(*d*) (other tinted lens) for "£3·00" there shall be substituted "£3·10";

(*e*) in paragraph 1(1)(*e*)(**a**) (small glasses)—

(i) in sub-head (i) for "£42·10" there shall be substituted "£43·50",

(ii) in sub-head (ii) for "£37·40" there shall be substituted "£38·60", and

(iii) in sub-head (iii) for "£20·20" there shall be substituted "£20·90";

(*f*) in paragraph 1(1)(*f*) (photochromic lenses) for "£2·50" there shall be substituted "£2·60" and for "£3·00" there shall be substituted "£3·10";

(*g*) in paragraph 1(1)(*g*) (specially manufactured frames) for "£42·10" there shall be substituted "£43·50";

(*h*) in paragraph 2(*a*) (minimum complex appliance payment — single vision lenses) for "£4·20" there shall be substituted "£4·30"; and

(*i*) in paragraph 2(*b*) (minimum complex appliance payment — other cases) for "£22·70" there shall be substituted "£23·40".

(3) For Schedule 3 to the principal regulations (voucher values — repair)(**b**) there shall be substituted the Schedule 3 set out in the Schedule.

Application of regulations

12. The amendments made by regulations 10 and 11 and the Schedule apply only in relation to a voucher—

(*a*) accepted or used on or after 1st April 1995 pursuant to regulation 12 or regulation 18 of the principal regulations; or

(*b*) sent to the Agency pursuant to regulation 14(2)(*c*) of the principal regulations in respect of cost incurred on or after that date.

Sealed with the Official Seal of the Department of Health and Social Services on 22nd March 1995.

(L.S.) *Joan Dixon*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 22nd March 1995.

(L.S.) *J. Sullivan*
Assistant Secretary

(**a**) Paragraph 1(1)(*e*) was substituted by regulation 3(3)(*e*) of S.R. 1990 No. 99
(**b**) Schedule 3 was last substituted by regulation 4(3) of S.R. 1994 No. 100

SCHEDULE Regulation 11(3)

Schedule 3 to the Principal Regulations as substituted by these Regulations

SCHEDULE 3 Regulation 20(2) and (3)

Voucher Value — Repair

	Letter Codes — Values							
Nature of repair to appliance	A £	B £	C £	D £	E £	F £	G £	H & I £
Repair or replacement of one lens	8·20	15·10	22·40	48·70	17·80	24·00	29·90	54·00
Repair or replacement of two lenses	16·50	30·20	44·80	97·40	35·60	48·00	59·90	108·10
Repair or replacement of:								
the front of a frame	8·50	8·50	8·50	8·50	8·50	8·50	8·50	8·50
a side of a frame	5·00	5·00	5·00	5·00	5·00	5·00	5·00	5·00
the whole frame	9·90	9·90	9·90	9·90	9·90	9·90	9·90	9·90

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations further amend the Optical Charges and Payments Regulations (Northern Ireland) 1989 ("the principal regulations") which provide for payments to be made, by means of a voucher system, in respect of costs incurred by certain categories of persons in connection with the supply, replacement and repair of optical appliances.

Regulation 2 of these regulations amends regulation 1(2) of the principal regulations in order to include a definition of Disability Working Allowance.

Regulation 3 of these regulations provides for an increase in the charges for glasses and contact lenses supplied by a Board or an HSS trust.

Regulations 4, 6, 7, 8 and 9 of these regulations amend regulations 4(2), 9(3), 10(3), 11(3), 17(2) and 17(3) respectively of the principal regulations so as to require the ophthalmic medical practitioner, optician or other responsible authority completing an optical voucher to include on it the patient's date of birth.

Regulation 5 of these regulations extends the categories of eligibility for vouchers to include people in receipt of Disability Working Allowance whose capital resources (calculated in accordance with the regulations concerning entitlement to that allowance) were £8,000 or less at the time that allowance was claimed and also certain relatives of such people.

Regulation 10 of these regulations amends regulation 20 of the principal regulations (redemption value for replacement or repair) to increase the value of an optical voucher issued towards the cost of replacing a single contact lens, and to increase the maximum contribution by way of voucher to the cost of repairing a frame.

Regulation 11(1) amends Schedule 1 to the principal regulations to increase the value of vouchers issued towards the cost of the supply and replacement of glasses and contact lenses.

Regulation 11(2) increases the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances.

Regulation 11(3) and the Schedule substitute a new Schedule 3 in the principal regulations to increase the value of vouchers issued towards the cost of the repair and replacement of optical appliances.

The increases in voucher values range from approximately 1·68% to 4·16% (approximately 1·94% to 3·53% in the case of vouchers for the supply of optical appliances).