EXPLANATORY MEMORANDUM TO

The Optical Charges and Payments (Amendment) Regulations (Northern Ireland) 2023

SR 2023 No. 40

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under powers conferred by Articles 62, 98, 106 and 107(6) of, and Schedule 15 to, the Health and Personal Social Services (Northern Ireland) Order 1972 and is subject to the negative resolution procedure.

2. Purpose

2.1. The Statutory Rule amends the Health and Personal Social Services (Optical Charges and Payments) Regulations (Northern Ireland) 1997 ("the principal Regulations") which provide for payment 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.

2.2. Regulation 2 amends regulation 19 of the principal Regulations to increase by 2% the redemption value of a voucher issued towards the cost of replacement of a single contact lens and to increase the maximum contribution by way of a voucher to the cost of repair of a frame.

2.3. Regulation 3 and the Schedule amend Schedules 1, 2 and 3 to the principal Regulations. Firstly, the value of vouchers issued towards the costs of supply and replacement of glasses and contact lenses is increased and a new provision introduced to allow practitioners to issue and certify vouchers for glasses where the frame needs to be specially manufactured; secondly, the additional values for vouchers for prisms, tints, photochromic lenses and special categories of appliances are increased; and thirdly, the value of vouchers issued towards the cost of repair and replacement of optical appliances is increased.

2.4. Regulation 4 provides that the increases contained in regulation 2 and 3 apply only in relation to vouchers accepted or used on or after 1 April 2023.

3. Background

3.1. The regulations increase the voucher values by 2% in order to maintain provision of affordable appliances for the public.

4. Consultation

4.1. In accordance with Article 61(4) of that Order, the Department has consulted with such organisations as appear to be representative of the ophthalmic profession.

5. Equality Impact

5.1. An Equality Impact Screening was performed and found that these Regulations do not adversely affect any of the Section 75 groups.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment was considered and it was decided one was not necessary because there was a no additional cost involved.

7. Financial Implications

7.1. The extra cost arising from these increases is anticipated to be approximately £215k and DoH is content that this is affordable in 2023/24.

8. Section 24 of the Northern Ireland Act 1998

8.1. Consideration has been given to the human rights implications of these regulations. They are considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. These regulations apply only to the Department of Health in Northern Ireland.

11. Additional Information

11.1. Not applicable.