1988 No. 400

HEALTH AND PERSONAL SOCIAL SERVICES

Payments for Optical Appliances (Amendment No. 4) Regulations (Northern Ireland) 1988

Made . . . . . *15th November 1988*

Coming into operation . . *1st December 1988*

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(**b**), hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Payments for Optical Appliances (Amendment No. 4) Regulations (Northern Ireland) 1988 and shall come into operation on 1st December 1988.

(2) In these regulations, "the principal regulations" means the Payments for Optical Appliances Regulations (Northern Ireland) 1986(**c**).

Amendment of the principal regulations

2.—(1) In regulation 1(2) of the principal regulations (interpretation) after the definition of "the Remission Regulations" there is inserted the following definition:—

> ""small glasses" means glasses the lens apertures of which have datum centres not more than 56 millimetres apart; and for this purpose "datum centre" is to be construed in accordance with Part One of British Standard 3521: 1962 (Glossary of Terms relating to Ophthalmic Lenses and Spectacle Frames) published by the British Standards Institution, as effective immediately before 15th November 1988;".

(2) In regulation 6 of the principal regulations (payments to suppliers) at the end of paragraph 2(*c*) there is added the following head:—

> "(iv) where the claim relates to a voucher the value of which is increased in accordance with paragraph 1(1)(*e*) of Part II of Schedule 1, certified that the glasses supplied were small glasses.".

(3) In Part II of Schedule 1 to the principal regulations (prisms, tints, photochromic lenses, special glasses and complex appliances)—

(**a**) S.I. 1972/1265 (N.I. 14). As amended by S.I. 1984/1158 (N.I. 8) and S.I. 1988/594 (N.I. 2)
(**b**) Formerly Department of Finance: *see* S.I. 1982/338 (N.I. 6) Art. 3
(**c**) S.R. 1986 No. 164. As amended by S.R. 1988 No. 80, S.R. 1988 No. 151 and S.R. 1988 No. 302

(*a*) for paragraph 1(1)(*e*) there is substituted the following:—
"(*e*) by £31.50 in respect of small glasses;"

(*b*) after paragraph 1(3) there is added the following:—
"(4) Where the face value of a voucher is increased in accordance with sub-paragraph (1)(*g*) of this paragraph, it may not be further increased in accordance with sub-paragraph (1)(*e*) of this paragraph.".

Saving for existing vouchers

3. The amendments made by regulation 2 shall not have effect in relation to any voucher issued before these regulations come into operation, or in relation to any claim for payment in respect of any such voucher.

Sealed with the Official Seal of the Department of Health and Social Services on 15th November 1988.

(L.S.) *J. Scott*
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 15th November 1988.

(L.S.) *Joan A. Mills*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Payments for Optical Appliances Regulations (Northern Ireland) 1986, which provide for payments to be made, by means of a voucher system, in respect of the cost incurred by certain categories of persons for the supply of optical appliances prescribed following a sight test under the health service.

The amendments made by regulation 2 concern the inclusion in the voucher of a supplement for the cost of unusually small glasses, typically for very young children. They alter the type of glasses which qualify for the supplement from glasses prescribed for a person whose pupils are not more than 60 millimetres apart to glasses with lens apertures the datum centres of which are not more than 56 millimetres apart ("small glasses"). Regulation 2(2) makes it a condition of payment that where the claim for payment is increased by the supplement, the supplier must certify that the glasses supplied are small glasses. Where the face value of a voucher is increased by a supplement on account of the frame for glasses being required to be specially manufactured on account of the patients facial characteristics, the voucher may not be further increased by the supplement for small glasses (Regulation 2(3)(*b*)).

Regulation 3 provides that the amendments are not to affect the value of vouchers issued before the coming into operation of the regulations.

British Standard 3521: 1962, referred to in regulation 2(1) may be obtained from any of the sales outlets operated by the British Standards Institution or direct by post from the Institution at Linford Wood, Milton Keynes, MK14 6LE.