1961. No. 118 **[C]**

HEALTH SERVICES

Supplementary Eye Services

REGULATIONS*, DATED 23RD MAY, 1961, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, UNDER THE HEALTH SERVICES ACT (NORTHERN IRELAND), 1948.

The Ministry of Health and Local Government, in exercise of the powers conferred on it by sections 22, 76 and 80 of the Health Services Act (Northern Ireland), 1948(**a**), and of all other powers enabling it in that behalf, with the approval of the Ministry of Finance, hereby makes the following Regulations:—

1. These Regulations may be cited as the Health Services (Supplementary Eye Services) (Charges) Regulations (Northern Ireland), 1961.

2. In these Regulations the following expressions shall have the meaning hereby assigned to them:—

"Committee" means the Eye Services Committee appointed under Part V of the Health Services (Supplementary Eye Services) Regulations (Northern Ireland), 1955(**b**);

"the 1948 Regulations" means the Health Services (Supplementary Eye Services) Regulations (Northern Ireland), 1948(**c**);

"full-time school education" means full-time instruction in a school within the meaning of the Education Act (Northern Ireland), 1947(**d**), or in corresponding establishments elsewhere;

"glasses" includes spectacles and lenses for spectacles;

"ophthalmic list" means the list prepared under Regulation 5 of the 1948 Regulations;

"statement of fees and charges" means the statement of fees and charges prepared under Regulation 3 of the 1948 Regulations and for the time being in force; and

"the relevant time" means the time of the testing of sight leading to the supply of glasses, or the first such testing of sight.

3.—(1) Subject to the provisions of these Regulations an optician shall be entitled to make and recover a charge in accordance with the scale of charges set out in the Schedules in respect of the supply of glasses.

(2) Where the relevant time falls before 1st June, 1961, the charges to be made and recovered shall be those contained in the First Schedule.

(3) Where the relevant time falls on or after 1st June, 1961, the charges to be made and recovered shall be those contained in the Second Schedule.

(**a**) 1948. c. 3.
(**b**) S.R. & O. (N.I.) 1955, No. 156.
(**c**) S.R. & O. (N.I.) 1948, No. 166.
(**d**) 1947. c. 3.

*A draft of these Regulations was approved by resolutions of the Senate and of the House of Commons on the 23rd day of May, 1961.

4.—(1) The optician shall secure, on a form to be provided for the purpose by the Committee, an acknowledgment by the person to be supplied with glasses, or some other person competent to act on his behalf, of his obligation to pay the said charge.

(2) The optician shall send the said acknowledgment to the Committee.

(3) On receipt of any sum paid under this Regulation, the optician shall give an acknowledgment of the receipt on a form to be provided for the purpose by the Committee.

5. Any sum which but for these Regulations would have been payable by the General Health Services Board to the optician in respect of the supply of glasses shall be reduced by the amount payable by virtue of these Regulations.

6. These Regulations shall not apply to the supply of glasses where the standard type of children's frames, as described in the statement of fees and charges, is used.

7. The replacement of glasses which are required solely by reason of the loss or destruction of, or damage sustained by, glasses previously possessed by a person and supplied to him under supplementary eye services shall be deemed not to constitute the supply of glasses within the meaning of these Regulations.

8. No charge shall be made under these Regulations for the supply of lenses if:—

(*a*) the person for whom the glasses are supplied was at the relevant time of the age of ten or more and either under sixteen years of age or receiving full-time school education; and

(*b*) the frames of the glasses are of any description specified in the statement of fees and charges; and

(*c*) the relevant time falls on or after 1st June, 1961.

9. It shall be a condition of exemption under Regulation 8 from a charge payable under Regulation 3 in respect of the supply of lenses—

(*a*) that the date of birth stated in Part I of the form contained in Part IV of the First Schedule to the 1948 Regulations shall indicate that the person for whom the lenses are supplied was at the relevant time aged ten or more and under sixteen; or

(*b*) in a case where the age of the person is indicated in the said Part I to be sixteen years or more, that a certificate, given on behalf of a local education authority or by or on behalf of the headmaster or proprietor of a school, is submitted to the optician supplying the glasses at the same time as the said form is presented, certifying that the person for whom the lenses are to be supplied was at the relevant time receiving full-time school education.

10. The 1948 Regulations shall have effect subject to the provisions of these Regulations, and any payment required to be made under these Regulations shall be additional to any payment required to be made by or on behalf of a person in respect of lenses under the 1948 Regulations.

11. Any provision of these Regulations affecting the rights and obligations of ophthalmic opticians and dispensing opticians shall, so far as they are

applicable, be deemed to form part of their respective terms of service under the arrangements made for the provision of supplementary eye services.

12. The Health Services (Supplementary Eye Services) Regulations (Northern Ireland), 1951(**a**), and the Health Services (Supplementary Eye Services) (Amendment) Regulations (Northern Ireland), 1951 (**b**), are hereby revoked.

Sealed with the Official Seal of the Ministry of Health and Local Government for Northern Ireland this 23rd day of May, nineteen hundred and sixty-one.

(L.S.) *W. J. Morgan,*
Minister of Health and Local Government.

The Ministry of Finance for Northern Ireland hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 24th day of May, nineteen hundred and sixty-one.

(L.S.) *Terence O'Neill,*
Minister of Finance.

FIRST SCHEDULE

Charges payable for Glasses

(where relevant time falls before 1st June, 1961)

For lenses:—	10s. 0d. per lens.
For frames:—	The current cost specified in the statement of fees and charges as payable by the person supplied.

SECOND SCHEDULE

Charges payable for Glasses

(where relevant time falls on or after 1st June, 1961)

For lenses:—	
single-vision lens	12s. 6d. per lens.
bifocal lens	20s. 0d. per lens.
For frames:—	The current cost specified in the statement of fees and charges as payable by the person supplied.

(a) S.R. & O. (N.I.) 1951, No. 80. (b) S.R. & O. (N.I.) 1951, No. 221.