The National Health Service (Tribunal for Supplementary Ophthalmic Services) (Scotland) Regulations, 1948

1948 No. 1451 (S. 119)

Made - - - -	*26th June*, 1948
Laid before Parliament	*30th June*, 1948
Coming into Operation	*2nd July*, 1948

In exercise of the powers conferred on me by sections 43 and 72 of, and the Sixth and Eighth Schedules to, the National Health Service (Scotland) Act, 1947, and of all other powers enabling me in that behalf, I hereby make the following regulations:— 10 & 11 Geo. 6. c. 27.

1. These regulations may be cited as the National Health Service (Tribunal for Supplementary Ophthalmic Services) (Scotland) Regulations, 1948, and shall come into operation on the second day of July, 1948.

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 (Scotland) Act, 1947.

" ophthalmic medical practitioner ", " ophthalmic optician " and " dispensing optician " mean persons or firms or companies (whether corporate or unincorporate) having the appropriate qualifications prescribed by the National Health Service (Qualifications for Supplementary Ophthalmic Services) (Scotland) Regulations, 1948(a).

" optician " means an ophthalmic optician or a dispensing optician, being a person or a firm or company (whether corporate or unincorporate).

" ophthalmic list " means a list, prepared by a Joint Ophthalmic Services Committee, of ophthalmic medical practitioners, ophthalmic opticians and dispensing opticians under regulation 5 of the National Health Service (Supplementary Ophthalmic Services) (Scotland) Regulations, 1948(b).

(2) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

3. For the purposes of inquiries relating to ophthalmic medical practitioners and opticians the provisions of Parts III and IV of and the Third Schedule to the National Health Service (Medical and Pharmaceutical Services Committees and Tribunal) (Scotland) Regulations, 1948(c), shall have effect subject to the following and to any other necessary modifications:

(1) in the said Parts III and IV and the said Third Schedule:

(*a*) any reference to an appellant or respondent or to a practitioner or chemist shall include a reference to an ophthalmic medical practitioner or optician;

(a) S.I. 1948 No. 1383, p. 2590 above. (b) S.I. 1948 No. 1450, p. 2571 above.
(c) S.I. 1948 No. 1259, p. 2455 above.

(*b*) any reference to a medical or pharmaceutical list shall include a reference to an ophthalmic list of a Joint Ophthalmic Services Committee; and

(*c*) any reference to general medical services shall include a reference to supplementary ophthalmic services provided under Part IV of the Act.

(2) for sub-paragraphs (*a*) and (*b*) of paragraph (1) of Regulation 37 there shall be substituted:—

"(*a*) when the appellant is an ophthalmic medical practitioner, an ophthalmic medical practitioner; or

(*b*) when the appellant is an ophthalmic optician, an ophthalmic optician; or

(*c*) when the appellant is a dispensing optician, a dispensing optician,"

and paragraph (3) of the said regulation 37 shall be omitted.

(3) for the last paragraph of Form 2 of the Third Schedule to the said regulations there shall be substituted the following paragraph:—

"Copies of the National Health Service (Medical and Pharmaceutical Service Committees and Tribunal) (Scotland) Regulations, 1948, and of the National Health Service (Tribunal for Supplementary Ophthalmic Services) (Scotland) Regulations, 1948 (which apply the former regulations to inquiries relating to ophthalmic medical practitioners or opticians), are enclosed for your information."

4. The provisions of Part IV of the National Health Service (Medical and Pharmaceutical Service Committees and Tribunal) (Scotland) Regulations, 1948 (being provisions relating to the service of notices), shall with the modifications aforesaid apply both to investigations by Joint Ophthalmic Services Committees under Part III of the National Health Service (Joint Ophthalmic Services Committees) (Scotland) Order, 1948, and to inquiries by Tribunals under those regulations (being inquiries relating to ophthalmic medical practitioners or opticians).

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh 1.
26th June, 1948.

EXPLANATORY NOTE

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

These regulations provide for inquiries by the Tribunal set up under the National Health Service (Scotland) Act, 1947, into cases where representations are made that the continued inclusion of a person in an ophthalmic list would be detrimental to the efficiency of the supplementary ophthalmic service.

The regulations also deal with the way in which notices may be given to persons in the case of these inquiries or in the case of investigations by a Joint Ophthalmic Services Committee.