

2006 No. 329

NATIONAL HEALTH SERVICE

**The National Health Service (General Ophthalmic Services)
(Scotland) Amendment Regulations 2006**

<i>Made</i> - - - -	<i>7th June 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>8th June 2006</i>
<i>Coming into force</i> - -	<i>1st July 2006</i>

The Scottish Ministers, in exercise of the powers conferred by sections 26, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2006 and shall come into force on 1st July 2006.

Amendment of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006

2.—(1) The National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006(b) are amended as follows.

(2) In regulation 7(7) (application for inclusion in Ophthalmic List and notification of changes), for “then” substitute “than”.

(a) 1978 c.29. Section 26 was amended by the Health and Social Security Act 1984 (c.48), section 1(5) and Schedule 1, Part II, paragraphs 1 and 4 and Schedule 8, the Health and Medicines Act 1988 (c.49), section 13(4) and extended by section 17 of that Act, and amended by the Smoking, Health and Social Care (Scotland) Act 2005 (asp 13), sections 13(2) and 19; section 105(7), was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5(1) and Schedule 7, the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, Part 1, paragraph 24 and the Health Act 1999 (c.8), Schedule 4, paragraph 60; section 108(1) contains definitions of “prescribed” and “regulations” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2006/135.

(3) In paragraph 2(c) of Schedule 1 (incorporation of provisions) for “the National Health Service (Service Committees and Tribunal) (Scotland) Regulation 1992” substitute “the National Health Service (Discipline Committees) (Scotland) Regulations 2006 **(a)**”.

(4) In paragraph 11(1) of Schedule 1 (complaints), for “paragraphs 11 and” substitute “paragraph”.

St Andrew’s House,
Edinburgh
7th June 2006

ANDREW P KERR
A member of the Scottish Executive

(a) S.S.I. 2006/330.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006 (“the principal Regulations”) which make provision as to the arrangements under which ophthalmic medical practitioners and opticians provide general ophthalmic services under the National Health Service in Scotland.

Regulation 2(2) amends regulation 7(7) of the principal Regulations to correct a typographical error.

Regulation 2(3) amends paragraph 2(c) of Schedule 1 to the principal Regulations to substitute a reference to the National Health Service (Discipline Committee) (Scotland) Regulations 2006 for the reference to the National Health Service (Service Committees and Tribunal) (Scotland) Regulations 1992 which are to be repealed with effect from 1st July 2006.

Regulation 2(4) amends paragraph 11(1) of Schedule 1 to the principal Regulations to remove an erroneous reference to paragraph 11.