

2006 No. 42

NATIONAL HEALTH SERVICE

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

<i>Made</i> - - - -	<i>1st February 2006</i>
<i>Laid before the Scottish Parliament</i>	<i>2nd February 2006</i>
<i>Coming into force</i> - -	<i>6th March 2006</i>

The Scottish Ministers, in exercise of the powers conferred by sections 26, 28A, 28B, 105(7) and 108(1) of the National Health Service (Scotland) Act 1978(a) and of 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 6th March 2006.

Amendment of the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986

2.—(1) The National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986(b) are amended as follows.

(2) In regulation 10(1) (the Statement)—

(a) after “as to” insert “(a)”; and

(b) after “opticians” insert—

“(b) the allowances to be paid by the Board for continuing education and training undertaken by ophthalmic medical practitioners and opticians other than a body corporate registered in the register of bodies corporate maintained under section 9 of the Opticians Act 1989 carrying on business as an optometrist; and

(a) 1978 c.29; section 26 was amended by the Health and Social Security Act 1984 (c.48), section 1(5), Schedule 1, Part II, paragraphs 1 to 4, and Schedule 8, and by the Health and Medicines Act 1988 (c.49), section 13(4); sections 28A and 28B were inserted by the National Health Service (Primary Care) Act 1997 (c.46) and amended by the Primary Medical Services (Scotland) Act 2004 (asp 1), schedule 1, paragraph 1; section 105(7) was amended by the Health Services Act 1980 (c.53), Schedule 6, paragraph 5, and Schedule 7, and by the Health and Social Services and Social Security Adjudications Act 1983 (c.41), Schedule 9, paragraph 24 and by 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 Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1986/965.

- (c) the allowances, or reimbursement of expenses, to be paid by the Board for the provision of services by ophthalmic medical practitioners and opticians”.

LEWIS MACDONALD

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
1st February 2006

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Ophthalmic Services) (Scotland) Regulations 1986 (“the Regulations”) which provide for arrangements under which ophthalmic medical practitioners and ophthalmic opticians provide general ophthalmic services under the National Health Service.

Regulation 2(2) amends regulation 10(1) of the Regulations to provide the Scottish Ministers with the power to make provision in a determination as to fees to be paid by Health Boards for the testing of sight by ophthalmic medical practitioners and opticians; allowances to be paid by Health Boards for continuing education and training by ophthalmic medical practitioners and opticians (other than a body corporate); and allowances, or reimbursement of expenses, for the provision of services by ophthalmic medical practitioners and opticians.

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