

1995 No. 115

HEALTH AND PERSONAL SOCIAL SERVICES**General Ophthalmic Services (Amendment) Regulations
(Northern Ireland) 1995**

Made 22nd March 1995

Coming into operation 1st April 1995

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 62, 106 and 107(6) of the Health and Personal Social Services (Northern Ireland) Order 1972(a) and of all other powers enabling it in that behalf, and in conjunction with the Department of Finance and Personnel and after consultation with such organisations as appeared to the Department to be representative of medical practitioners practising as ophthalmic medical practitioners, and ophthalmic opticians, as required by Article 62(3) of the said Order, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the General Ophthalmic Services (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 1st April 1995.

(2) In these regulations; the “principal regulations” means the General Ophthalmic Services Regulations (Northern Ireland) 1986(b).

Amendment of regulation 2 of the principal regulations

2. In regulation 2(1) of the principal regulations (interpretation), after the definition of “deputy” there shall be inserted the following definition—

““disability working allowance” means disability working allowance under Part VII of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(c);”.

Amendment of regulation 15 of the principal regulations

3.—(1) In regulation 15(2) of the principal regulations (sight tests — eligibility) the word “or” at the end of head (e) shall be omitted and after head (f) there shall be added—

“(g) he is in receipt of disability working allowance and his capital resources, calculated in accordance with the regulations concerning

(a) S.I. 1972/1265 (N.I. 14) as amended by S.I. 1978/1907 (N.I. 26) Article 13; S.I. 1984/1158 (N.I. 8) Article 3(1) and (2), paragraph 1 of Schedule 1, Article 17 and Part I of Schedule 6; S.I. 1988/2249 (N.I. 24) Article 8(1) and (2); and S.I. 1991/194 (N.I. 1) Part I of Schedule 5

(b) S.R. 1986 No. 163; relevant amending regulations are S.R. 1989 No. 113

(c) 1992 c. 7

entitlement to that allowance(a), were not more than £8,000 at the time that allowance was claimed; or

(h) he is a member of the same family as a person described in head (g).”.

(2) For regulation 15(3) of the principal regulations, there shall be substituted—

“(3) In paragraph (2), “family” (in reference to membership of the same family) has the meaning given to it by section 133(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992—

(a) as it applies to income support(b), in the case of paragraph (2)(b) and (f);

(b) as it applies to family credit(c), in the case of paragraph (2)(d); and

(c) as it applies to disability working allowance(d), in the case of paragraph (2)(h).”.

Sealed with the Official Seal of the Department of Health and Social Services on 22nd March 1995.

(L.S.)

Joan Dixon

Assistant Secretary

Sealed with the Official Seal of the Department of Finance and Personnel on 22nd March 1995.

(L.S.)

J. Sullivan

Assistant Secretary

(a) S.R. 1992 No. 78

(b) See S.R. 1987 No. 459, regulations 14 to 16; relevant amending regulations are S.R. 1988 No. 146, S.R. 1989 No. 139, S.R. 1990 Nos. 131 and 387 and S.R. 1993 Nos. 149 and 373

(c) See S.R. 1987 No. 463, regulations 6 to 9; relevant amending regulations are S.R. 1988 No. 131, S.R. 1990 Nos. 138 and 387 and S.R. 1993 No. 373

(d) See S.R. 1992 No. 78, regulations 8 to 11 as amended by S.R. 1993 No. 373

(This note is not part of the Regulations.)

These regulations further amend the General Ophthalmic Services Regulations (Northern Ireland) 1986 ("the principal regulations") which provide for the arrangements under which ophthalmic medical practitioners and ophthalmic opticians provide general ophthalmic services under the Health Service (ie sight testing services).

Regulation 2 of these regulations amends regulation 2(1) of the principal regulations in order to include a definition of Disability Working Allowance.

Regulation 3 of these regulations extends the categories of eligibility for free sight tests to include people in receipt of Disability Working Allowance whose capital resources (calculated in accordance with the regulations concerning entitlement to that allowance) were £8,000 or less at the time that allowance was claimed, and also certain relatives of such people.