

1990 No. 1051

**NATIONAL HEALTH SERVICE, ENGLAND AND  
WALES**

**The National Health Service (General Ophthalmic  
Services) Amendment Regulations 1990**

<i>Made - - - -</i>	<i>10th May 1990</i>
<i>Laid before Parliament</i>	<i>11th May 1990</i>
<i>Coming into force</i>	<i>1st June 1990</i>

The Secretary of State for Health, in exercise of powers conferred by sections 38(1) and 39 of the National Health Service Act 1977(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the National Health Service (General Ophthalmic Services) Amendment Regulations 1990 and shall come into force on 1st June 1990.

**Amendment of terms of service**

2.—(1) Schedule 1 to the National Health Service (General Ophthalmic Services) Regulations 1986(b) (terms of service) is amended in accordance with the following provisions of this regulation.

(2) For paragraph 3 (arrangements for the provision of services) there is substituted:—

“Premises at which general ophthalmic services are to be provided

3.—(1) Subject to sub-paragraph (2), a contractor shall provide general ophthalmic services only at an address which is included in relation to him in the ophthalmic list.

(2) Where requested to do so by or on behalf of a patient, a contractor may agree to provide general ophthalmic services at the place at which the patient normally resides.”.

(3) In paragraph 5 (notices) after the word “services” where it first occurs there are inserted the words “in accordance with paragraph 3(1)”.

(4) In paragraph 9(5) (payments) the words from “; or” to “request” are omitted.

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(a) 1977 c.49; see section 128(1) for the definition of “prescribed” and “regulations”. Section 38(1) was amended by S.I. 1985/39, article 7(11), by section 1(3) of the Health and Social Security Act 1984 (c.48) (“the 1984 Act”) and by the Health and Medicines Act 1988 (c.49), section 13(1). Section 39 was amended by S.I. 1985/39, article 7(12), by paragraph 52 of Schedule 1 to the Health Services Act 1980 (c.53) and by section 1(4) of, and paragraph 1 of Schedule 1 to, the 1984 Act.

(b) S.I. 1986/975, amended by S.I. 1988/486, 1989/395 and 1175.

Signed by authority of the Secretary of State for Health

10th May 1990

*Virginia Bottomley*  
Minister of State  
Department of Health

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service (General Ophthalmic Services) Regulations 1986 which provide for the arrangements under which ophthalmic medical practitioners and ophthalmic opticians ("contractors") provide general ophthalmic services (sight testing services).

Regulation 2 amends the contractors' terms of service.

Regulation 2(2) substitutes a new paragraph 3 to require a contractor to provide general ophthalmic services at his practice premises unless he agrees to provide such services at the place where the patient normally resides. Paragraph 5 is amended (regulation 2(3)) so as not to require a contractor to display a notice in accordance with that paragraph elsewhere than at his practice premises. An amendment is made to paragraph 9(5) to remove a contractor's right to recover from a patient any amount in respect of loss of remunerative time or travelling expenses occasioned by a visit to that patient's home.

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