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WELSH STATUTORY INSTRUMENTS

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**2002 No. 186 (W.25)**

**NATIONAL HEALTH SERVICE, WALES**

**The National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2002**

*Made* - - - - 31st January 2002

*Coming into force* - - 1st February 2002

The National Assembly for Wales, in exercise of the powers conferred upon it by section 126(4) of, and paragraph 2A of Schedule 12 to, the National Health Service Act 1977(1) hereby makes the following Regulations:

**Citation, commencement, interpretation and application**

1.—(1) These Regulations may be cited as the National Health Service (Optical Charges and Payments) (Amendment) (Wales) Regulations 2002, and shall come into force on 1st February 2002.

(2) In these Regulations “the principal Regulations” (“*y prif Reoliadau*”) means the National Health Service (Optical Charges and Payments) Regulations 1997(2)

(3) These regulations shall apply to Wales only.

**Amendment of regulation 1 of the principal Regulations**

2. In paragraph (2) of Regulation 1 of the principal Regulations (interpretation), in the definition of “NHS sight test fee”, for the amount of “£42.85” substitute “£44.39” and for the amount “£15.52” substitute “£16.08”.

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- (1) 1977 c. 49 (“the 1977 Act”); see section 128(1), as amended by the National Health Service and Community Care Act 1990 (c. 19) (“the 1990 Act”), section 26(2)(g) and (i) for the definitions of “prescribed” and “regulations”. Section 126(4) was amended by the 1990 Act, section 65(2) and by the Health Act 1999 (c. 8) (“the 1999 Act”), Schedule 4, paragraph 37(5). Paragraph 2A of Schedule 4 was inserted by the Health and Social Security Act 1984 (c. 48), Schedule 1, paragraph 3 and amended by section 13(2) and (3) of the Health and Medicines Act 1988 (c. 48). The functions of the Secretary of State under sections 126(4) of, and paragraph 2A of Schedule 12 to, the 1977 Act were transferred to the National Assembly for Wales by The National Assembly for Wales (Transfer of Functions) Order 1999, S.I.1999/672, article 2 and Schedule 1, as amended by section 66(5) of the 1999 Act.
- (2) S.I. 1997/818, the relevant amending instruments are S.I.1997/2488, 1998/499, 1999/609, 2000/978(W.48), 2000/3119(W.198) and 2001/1423(W.98).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

31st January 2002

*D. Elis-Thomas*  
The Presiding Officer of the Assembly

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## EXPLANATORY NOTE

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

These Regulations further amend the National Health Service (Optical Charges and Payments) Regulations 1997 (“the principal Regulations”), which provide for a scheme of payments to be made by Health Authorities and National Health Service Trusts, by means of a voucher system, towards the costs incurred by certain categories of person in connection with sight tests and the supply, replacement and repair of optical appliances.

Regulation 2 amends the definition of “NHS sight test fee” in regulation 1(2) of the principal Regulations to reflect the values of the two levels of fee for National Health Service sight tests payable to ophthalmic medical practitioners and opticians at the time these regulations come into force. These amounts are relevant to determination of eligibility for, and the redemption value of, a voucher towards the cost of a sight test.