



**Cynulliad Cenedlaethol Cymru
The National Assembly for Wales**

ADRODDIAD GAN Y PWYLLGOR DEDDFAU LEGISLATION COMMITTEE REPORT

**The National Health Service (General Ophthalmic Services) (Amendment) (Wales)
Regulations 2002**

These amend the 1986 regulations which regulate the terms on which ophthalmic medical practitioners or opticians provide general ophthalmic services under the National Health Service Act 1977. The amendments implement certain provisions of the Health and Social Care Act 2001.

Standing Order 11.5

Similar provision has been made for England in SI 2001/3739. In reporting on the England regulations, the Joint Committee on Statutory Instruments identified a number of points which have been taken into account in the Wales regulations.

Additionally, having had the opportunity of looking at an early draft of these regulations, the legal advisers to the Committee have been able to identify other points which have now been taken into account.

The Assembly is, however, invited to pay special attention to the following apparent minor drafting defects. These would be capable of correction by means of a memorandum of corrections.

Regulation 4

7A(3)(h) – it seems that the word “was” should be deleted from line 2.

7D(15)(b) – the first reference is to “any Health Authority in Wales” but the second reference is to “any Health Authority”. If the latter is intended to cover health authorities

both in Wales and England this should be made clear. It is not immediately apparent, however, why this distinction is drawn between the two references. Thus if the second reference is meant to be confined to health authorities in Wales, this should be made clear.

Observations

Regulation 1

“(Cymru)” has been omitted from the title in the Welsh text.

Regulation 2(1)

The number has been omitted from paragraph (1).

Regulation 2(1)(c)

In the Welsh text “and” should be in Welsh rather than English and the opening quotation marks should be adjusted accordingly.

Regulation 6

9H(1)-(4) – the opening word requires a capital letter in each case.

Regulation 10

The paragraph numbering is defective in the Welsh text.

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Chair, Legislation Committee

9 July 2002