

## **The National Health Service (Redemption of Optical Vouchers) Determination 2008**

The Secretary of State for Health makes this determination in exercise of powers conferred by paragraph 2A(5) of Schedule 12 to the National Health Service Act 1977(a) -

### **Citation, commencement and application**

1.-(1) This Determination may be cited as the National Health Service (Redemption of Optical Vouchers) Determination 2008 and shall come into force on 1st August 2008.

(2) This Determination applies in relation to England.

### **Interpretation**

2. In this determination –

“the PCT” means the Primary Care Trust to which a supplier has made application for payment;

“the Regulations” means the National Health Service (Optical Charges and Payments) Regulations 1997(b);

“voucher” means a voucher issued pursuant to regulation 9 (issue of vouchers by ophthalmic medical practitioners or opticians), 10 (issue of vouchers by NHS trusts), 11 (issue of replacement vouchers) or 16 (completion of vouchers) of the Regulations,

and other terms used in both this Determination and the Regulations bear the same meaning in this Determination as they do in the Regulations.

### **Conditions**

3. Subject to paragraph 5(5), any sum payable under the Regulations in relation to a voucher is payable only if the conditions in the following paragraphs have been complied with.

### **Requirement of the Regulations**

4. The condition in this paragraph is that any requirement in the Regulations in relation to a voucher has been met.

### **Production of Records**

5.-(1) The condition in this paragraph is that a supplier produces the relevant records to the PCT within 14 days of the PCT the supplier receiving notification in writing that the PCT wishes to see the relevant records (“the notification”)

(2) Except in a case to which sub-paragraph (3)(b) applies, the PCT shall specify in the notification the voucher or vouchers in relation to which the relevant records are to be produced and, in a case to which that sub-paragraph applies, the PCT shall specify in the notification that relevant records are to be produced in relation to each

voucher to which that sub-paragraph applies.

(3) The notification may specify that the relevant records be produced in respect of -

- (a) any specified voucher or vouchers; or
- (b) all vouchers,

which the supplier seeks, or has sought within the 2 years prior to the notification, payment from that PCT in respect of that voucher.

(4) The notification may specify that -

- (a) all the relevant records; or
- (b) such part of the relevant records as specified

be produced to the PCT.

(5) The PCT may, if it thinks in all the circumstances right to do so, make payment even though the relevant records were produced to it more than 14 days after the notification.

(6) In this paragraph “relevant records” means any record which -

- (a) the Regulations require to be made or kept in relation to a voucher or the optical appliance in relation to which the voucher has been presented; or
- (b) is reasonably required to prove that any requirement of the Regulations in relation to vouchers has been complied with.

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