

Health, Social Care and Sport Committee
Tuesday, 9 December 2025
34th Meeting, 2025 (Session 6)

Note by the Clerk on The National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2025 – SSI 2025/337

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to the negative procedure. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.
2. More information about the instrument is summarised below:

Title of instrument: [The National Health Service \(General Ophthalmic Services\) \(Scotland\) Amendment Regulations 2025](#) (SSI 2025/337)

Laid under: [National Health Service \(Scotland\) Act 1978](#)

Laid on: 7 November 2025

Procedure: Negative

Deadline for committee consideration: 15 December 2025 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 16 December 2025 (Statutory 40-day deadline for any decision whether to annul the instrument)

Commencement: [Date]

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a

meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).

6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the instrument on 18 November 2025 and reported on it in its [85th Report, 2025 \(Session 6\)](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

8. These Regulations amend the National Health Service (General Ophthalmic Services) (Scotland) Regulations 2006 (“the 2006 Regulations”) which make provision for general ophthalmic services under the National Health Service in Scotland.
9. The Policy Note accompanying the instrument is included in the annexe. It states that the purpose of the instrument is to deliver the full implementation phase of a policy to support Independent Prescribing (IP) optometrists and ophthalmic medical practitioners (OMPs) to manage patients with ten complex acute anterior eye conditions under General Ophthalmic Services (GOS), reducing the number of these patients needing to be referred to the Hospital Eye Service (HES).
10. The instrument does so by enabling Health Boards to enter into arrangements with IP optometrists and OMPs for the provision of GOS in the Health Board’s area to patients who have a listed anterior eye condition. Such patients can self-present to the IP optometrist/OMP or can be referred to the IP optometrist/OMP from another optometrist/OMP following a GOS eye examination.
11. The Policy Note includes a summary of consultation undertaken on the instrument and the anticipated financial effects. The following impact assessments have been carried out:
 - [Business and Regulatory Impact Assessment \(BRIA\)](#)
 - [Child Rights and Wellbeing Impact Assessment \(CRWIA\)](#)

Committee consideration

12. So far, no motion recommending annulment has been lodged.
13. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:
 - seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or

- inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.

It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to the instrument.

14. If members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).
15. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee
December 2025

Annexe A: Scottish Government Policy Note

POLICY NOTE

THE NATIONAL HEALTH SERVICE (GENERAL OPHTHALMIC SERVICES) (SCOTLAND) AMENDMENT REGULATIONS 2025

SSI 2025/337

The above instrument was made in exercise of the powers conferred by sections 26 and 105(7) of the National Health Service (Scotland) Act 1978. This instrument is subject to negative procedure.

Summary Box

To enable Health Boards to enter into arrangements with Independent Prescribing (IP) optometrists and ophthalmic medical practitioners (OMP) for the provision of General Ophthalmic Services (GOS) in the relevant Health Board's area to patients who have a specified anterior eye condition.

Policy Objectives

The Scottish Government published its NHS Operational Improvement Plan¹ on 31 March 2025. This committed, amongst other things, to support IP optometrists and OMPs to manage patients with ten complex acute anterior eye conditions under GOS, reducing the number of these patients needing to be referred to the Hospital Eye Service (HES). In doing so, this will free up capacity within the HES to manage patients with more chronic sight-threatening eye conditions.

The interim measures phase of the implementation of this policy commenced on 1 August 2025². This SSI is required to deliver the full implementation phase of this policy, by enabling Health Boards to enter into arrangements with IP optometrists and OMPs for the provision of GOS in the Health Board's area to patients who have a listed anterior eye condition. Such patients can self-present to the IP optometrist/OMP or can be referred to the IP optometrist/OMP from another optometrist/OMP following a GOS eye examination.

The SSI amends the National Health Service (General Ophthalmic Services)(Scotland) Regulations 2006 ("2006 Regulations") as follows:

- inserting a new "anterior eye condition" definition in regulation 2 of the 2006 Regulations comprising the following ten listed anterior eye conditions: anterior uveitis; blepharitis; corneal foreign body; episcleritis; herpes simplex keratitis; herpes zoster ophthalmicus; infective conjunctivitis; marginal keratitis; ocular allergy; ocular rosacea.

¹ [NHS Scotland operational improvement plan - gov.scot](https://www.nhs.uk/operational-improvement-plan)

² <https://www.publications.scot.nhs.uk/files/pca2025-o-04.pdf>

- Inserting a new paragraph 14A into schedule 1 of the 2006 Regulations, enabling a Health Board to enter into arrangements with IP optometrists and OMPs for the provision of GOS in the Health Board's area for the above anterior eye conditions. Once such arrangements have been entered into, the relevant IP optometrist or OMP is defined for the purposes of the 2006 Regulations as a "specialist optometrist independent prescriber" (specialist IP optometrist) or "specialist ophthalmic medical practitioner" (specialist OMP) respectively, and such definitions have been added to regulation 2 of the 2006 Regulations.
- Inserting new sub paragraphs (4A) to (4C) in paragraph 14 of schedule 1 of the 2006 Regulations that set the following requirements to be followed when an optometrist/OMP has undertaken a GOS eye examination of a patient, the patient shows signs of an anterior eye condition and the optometrist/OMP determines it would be appropriate to refer the patient to a specialist IP optometrist/specialist OMP:
 - the specialist IP optometrist/specialist OMP must have agreed to accept the referral;
 - the referring optometrist/OMP must take into account the place where the patient normally resides;
 - in accepting such a referral, the specialist IP optometrist/specialist OMP must reasonable anticipate that they or another specialist IP optometrist/specialist OMP providing GOS at the same practice premises will be able to carry out any necessary eye examination.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2025 are compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

Optometry Scotland and Health Boards have been consulted in advance of the preparation of this instrument. Their views have been factored into the preparation of this instrument.

Impact Assessments

An Equality Impact Assessment, Island Communities Impact Assessment and Child Rights and Wellbeing Impact Assessment have been completed on the policy. These have identified a positive impact with respect to equality (age and disability protected

characteristics), islands and children's issues in that the policy will support improved access to eyecare services in the community closer to home.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed. The impact of this policy on business is expected to be generally positive, in that it supports optical businesses that have a specialist IP optometrist or specialist OMP working regularly for it to be able to manage more patients under GOS and receive associated higher remuneration for doing so.

There is a risk that, as a result, such practices could gain a competitive edge over other optical businesses that do not have a specialist IP optometrist or specialist OMP working regularly for it. Since 2009 the Scottish Government and NHS Education for Scotland have provided support to optometrists wanting to upskill to obtain the IP qualification, and there is no restriction on the number of optical businesses that can provide this service as long as they meet the relevant criteria.

Scottish Government
Primary Care Directorate

5 November 2025