

# General Ophthalmic Mandatory Services Model Contract Variation Notice

Revised: January 2024



# General Ophthalmic Mandatory Services Model Contract Variation Notice

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The text of the General Ophthalmic Mandatory Services Model Contract Variation Notice January 2024 has been prepared by Hill Dickinson on behalf of NHS England.

It is prepared on the basis that the numbering adopted in the signed contract follows that used in the model General Ophthalmic Mandatory Services Model Contract dated September 2023.

## Equalities and health inequalities statement

"Promoting equality and addressing health inequalities are at the heart of NHS England's values. Throughout the development of the policies and processes cited in this document, we have:

- given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it;
- given regard to the need to reduce inequalities between patients in access to, and outcomes from, healthcare services and in securing that services are provided in an integrated way where this might reduce health inequalities."



Dear Sir/Madam

**Notice of Variation to your General Ophthalmic Mandatory Services Model Contract dated [     ]**

We give you notice under paragraph 33(2) of Schedule 1 to The General Ophthalmic Services Contracts Regulations 2008 (S.I. 2008/2013) that the terms of your General Ophthalmic Mandatory Services Contract dated [     ] are varied as set out below with effect from *[insert here date on which variations will take effect. Where reasonably practicable this should not be less than 14 days after the date on which this notice is served. This is a regulatory requirement.]*.

These variations are necessary to comply with changes introduced by The National Health Service (Ophthalmic Services and Optical Charges and Payments) (Amendment) Regulations 2023, which are published on the government website [legislation.gov.uk](https://www.legislation.gov.uk).

For the avoidance of doubt nothing in this notice shall affect accrued rights or liabilities up to the date of the variation.

Please acknowledge receipt and keep this variation notice with your contract records.

Dated:

Signed:

on behalf of [Insert name of ICB]

Print name:

## Wording of Variations

### Clause 1

1. In the definition of “the Secretary of State”, **replace** the words “Her Majesty’s” with the words “His Majesty’s”.

### Clause 33

2. **Replace** clause 33 with the words “Not Used.”.

### Clauses 34A – 34C

3. **Delete** clauses 34A – 34C (inclusive).

### Clause 82

4. In clause 82, **replace** the words “6 months after” with the words “3 months of”.
5. Immediately after clause 82, **insert** the following new clause:

“82A. Notwithstanding clause 82, where a claim is made by the Contractor for fees in respect of additional services completed on or before 31 December 2023, the Commissioner must consider the claim if it is sent to it within 6 months of the date of completion of the provision of services.”.

### Clause 83

6. In clause 83, **delete** the words “which may be submitted in either *electronic form* or on paper and”.
7. In clause 83.1, **delete** the word “and”.
8. In clause 83.2, **replace** the full stop with the words “; and”.
9. Immediately after clause 83.2, **insert** the following new clauses:

“ 83.3 submitted in electronic form, subject to clause 83A.

83A. The Commissioner may accept submission of a claim in paper form in such exceptional circumstances as the Commissioner may reasonably determine.”.

### Clause 141

10. In clause 141, **replace** the words “7 days” with the words “28 days”.
11. In clause 141.1, **replace** the words “7 days” with the words “28 days”.