



Opticians Act 1989

1989 CHAPTER 44

PART III

DISCIPLINARY PROCEEDINGS

22 Assessors to Disciplinary Committee

- (1) For the purpose of advising the Disciplinary Committee on questions of law arising in proceedings before them there shall in all such proceedings be an assessor to the Committee who shall be a barrister, advocate or solicitor of not less than ten years' standing.
- (2) The power of appointing assessors under this section shall be exercisable by the Council, but if no assessor appointed by them is available to act at any particular proceedings, the Disciplinary Committee may appoint an assessor under this section to act at those proceedings.
- (3) The Lord Chancellor may make rules as to the functions of assessors appointed under this section, and in particular, rules under this subsection may contain—
 - (a) such provisions for securing—
 - (i) that where an assessor advises the Committee on any question of law as to evidence, procedure or any other matters specified in the rules, he shall do so in the presence of every party, or person representing a party, to the proceedings who appears at the proceedings or, if the advice is tendered after the Committee have begun to deliberate as to their findings, that every such party or person shall be informed what advice the assessor has tendered;
 - (ii) that every such party or person shall be informed if in any case the Committee do not accept the advice of the assessor on any such question; and
 - (b) such incidental and supplementary provisions, as appear to the Lord Chancellor expedient.

Status: This is the original version (as it was originally enacted).

- (4) Subject to the provisions of this section, an assessor under this section may be appointed either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.
- (5) Any remuneration paid by the Council to persons appointed to act as assessors shall be at such rates as the Privy Council may approve.