



Opticians Act 1989

1989 CHAPTER 44

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

33 Default powers of Privy Council.

- (1) If at any time it appears to the Privy Council that the Council have failed, but ought, to discharge a function of theirs to which this section applies, the Privy Council may notify their opinion to the Council and may direct them to discharge such of those functions, and in such manner and within such time or times, as may be specified in the direction.
- (2) If the Council fail to comply with any directions of the Privy Council under subsection (1) above, the Privy Council may themselves discharge any function of the Council to which this section applies.

- [^{F1}(3) This section applies to all functions of the Council under this Act except—
- (a) their functions under sections 1, 5D, 8, 8A, 9, 12, 13 and 32(1) above; and
 - (b) their powers to make rules under sections 23C, 23D and 23E above.]

Textual Amendments

- F1** S. 33(3) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 24](#) (with Sch. 2)

Changes to legislation:

Opticians Act 1989, Section 33 is up to date with all changes known to be in force on or before 05 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 33(3)(b) word inserted by [2008 c. 14 Sch. 7 para. 48](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13D(2)(h)(i) inserted by [S.I. 2008/1774 Sch. 2 para. 2](#) (This amendment not applied to [legislation.gov.uk](#). It was due to come into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47), see art. 1(4). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 13AA inserted by [2008 c. 14 Sch. 7 para. 30](#)
- s. 23I inserted by [2008 c. 14 Sch. 7 para. 46](#)
- s. 23AA inserted by [2008 c. 14 Sch. 7 para. 39](#)
- s. 23CA inserted by [2008 c. 14 Sch. 7 para. 42](#)