

SCHEDULES

SCHEDULE 7

ADJUDICATION FUNCTIONS UNDER MEDICAL ACT 1983 AND OPTICIANS ACT 1989

PART 2

AMENDMENTS OF OPTICIANS ACT 1989

42 After section 23C of the 1989 Act insert—

“23CA Assessments

- (1) If the Adjudicator considers (on reasonable grounds) that it would be of assistance to it, in dealing with any proceedings before it, for there to be an assessment of—
 - (a) the standard and quality of the work done or being done by the person to whom the proceedings relate (“P”); or
 - (b) the health, or specific aspects of the health, of P,the Adjudicator may request the registrar to arrange for an assessor to be appointed to report on the standard and quality of P’s work or (as the case may be) on P’s health or specific aspects of P’s health.
- (2) On receipt of a request under subsection (1), the registrar shall arrange for one or more assessors to be appointed in accordance with rules made by the Council.
- (3) The Council may make rules about the carrying out of the assessment and the making of the report.
- (4) If P fails to submit to, or co-operate with, the assessment the Adjudicator may draw such inferences from P’s failure as it considers appropriate.
- (5) This section does not apply if the person to whom the proceedings relate is a body corporate.”