
STATUTORY INSTRUMENTS

1979 No. 1638**OPTICIANS****The General Optical Council (Registration and Enrolment Rules) (Amendment) Order of Council 1979***Made - - - - 10th December 1979*

At the Council Chamber, Whitehall, the 10th day of December 1979

By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of section 7 of the Opticians Act 1958(a) the General Optical Council have made rules entitled "The Registration and Enrolment (Amendment) Rules 1979":

And whereas by subsection (5) of the said section such rules shall not come into force until approved by Order of the Privy Council:

Now, therefore, Their Lordships, having taken the said rules into consideration, are hereby pleased to approve the same as set out in the Schedule to this Order.

This Order may be cited as the General Optical Council (Registration and Enrolment Rules) (Amendment) Order of Council 1979.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE

THE REGISTRATION AND ENROLMENT (AMENDMENT) RULES 1979

In pursuance of their powers under section 7 of the Opticians Act 1958 the General Optical Council hereby make the following rules:—

1. These rules may be cited as the Registration and Enrolment (Amendment) Rules 1979.

2. The Registration and Enrolment Rules 1976 (scheduled to the General Optical Council (Registration and Enrolment Rules) Order of Council 1977)(a) shall be amended as follows:

(1) in rule 2 there shall be inserted the following additional definitions:—

(a) “employee” does not include a registered optician who is employed in a fee-earning capacity; but, in relation to an enrolled body corporate, it includes a director; and “employer” shall be construed accordingly;

(b) “practice address” means an address at which a registered optician provides ophthalmic services including testing sight as defined by section 30(2) of the Act, or the fitting and supply of optical appliances, or both, except an address at which he provides such services only in an emergency, or in the place of a registered optician who is ill or on holiday, or as a fee-earning visiting practitioner, or on less than twelve days in any year;

(2) rule 5 shall be renumbered 5(1);

(3) at the end of rule 5(1)(b) there shall be added the words, “with an indication whether or not he works there as a dispensing or ophthalmic optician and the name under which he practises as a registered optician at such address”;

(4) sub-paragraphs (c) and (d) of rule 5(1) shall be renumbered (d) and (e) respectively;

(5) after sub-paragraph (b) of rule 5(1) there shall be inserted the following additional sub-paragraph:—

“(c) subject to paragraph (2) of this rule, practice addresses, if any, other than the permanent address including, in each case, the name under which he practises at the practice address;”

(6) after rule 5(1) there shall be added the following paragraphs:—

“(2) It shall be sufficient compliance with sub-paragraphs (1)(b) and (1)(c) of this rule if a register entry relating to an optician to whom paragraph (3) of this rule applies contains a single practice address (whether or not such practice address is also a permanent address) being any address at which his employer provides ophthalmic services or arranges for ophthalmic services to be provided.

(3) The foregoing paragraph applies to an optician who practises as an employee of—

- (a) a registered optician;
 - (b) an enrolled body corporate;
 - (c) a registered medical practitioner;
 - (d) an authority or person carrying on a hospital, clinic, nursing home or other institution providing medical or surgical treatment; or
 - (e) a Minister of the Crown or a Government department (including a department of the Government of Northern Ireland).”;
- (7) rule 6 shall be replaced by the following rule:—
- “6. Each list shall contain the following particulars of each body corporate enrolled therein:—
- (a) name;
 - (b) principal place of business and the name under which such business is carried on at such place;
 - (c) the addresses of all places at which the body corporate carries on business as ophthalmic or dispensing opticians and the name under which such business is carried on at each such place.”;
- (8) in the Appendix—
- (i) the figure “£12”, on each occasion where it appears, shall be replaced by the figure “£14”;
 - (ii) the figure “£6”, on each occasion where it appears, shall be replaced by the figure “£7”;
 - (iii) the figure “£3”, on each occasion where it appears, shall be replaced by the figure “£4”.

3. These rules shall come into operation on the 1st day of April 1980 and shall apply to applications for registration, enrolment, retention, restoration or transfer to take effect on or after the 1st day of April 1980, whether made before, on or after that date.

Sealed on the 15th day
of November 1979.

(L.S.)

Attested by:

MARY G. GREEN,
Member of Council.

J. P. QUILLIAM,
Member of Council.

J. DANIEL DEVLIN
Registrar.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Rules approved by this Order require registered opticians and enrolled bodies corporate carrying on business as opticians to show all practice addresses in the registers and lists maintained by the General Optical Council, subject to certain specific exceptions.

The Rules also increase the fees charged in respect of registration, enrolment and retention.

SI 1979/1638
ISBN 0-11-094638-3

