

## SCHEDULE

### THE GENERAL OPTICAL COUNCIL (INJURY OR DISEASE OF THE EYE AND CONTACT LENS (QUALIFICATIONS)) (AMENDMENT) RULES 2005

The General Optical Council, in exercise of its powers under sections, 27(3B) and 31(5) and (5A) of the Opticians Act 1989, hereby make the following Rules—

#### Citation and commencement

1. These Rules may be cited as the General Optical Council (Injury or Disease of the Eye and Contact Lens (Qualifications)) (Amendment) Rules 2005 and shall come into force on 30th June 2005.

#### Amendments to the Rules relating to Injury or Disease of the Eye 1999

2.—(1) the Rules relating to Injury or Disease of the Eye 1999(1) shall be amended in accordance with the following provisions of this rule.

(2) In rules 3 and 5, there shall be substituted for the words “the optician”, the words “the optometrist or dispensing optician”.

(3) In rule 6(a)(iii), there shall be inserted after the word “advice”, the words “or medical or clinical treatment”.

(4) For rule 7 there shall be substituted the following rules—

“7. As an exception to the duty to refer to a registered medical practitioner under rule 3—

(a) a registered dispensing optician may refer the person consulting him to a registered optometrist; or

(b) a registered optometrist or dispensing optician may refer the person consulting him to—

(i) a person other than a registered medical practitioner who provides and who has the appropriate qualifications or expertise to provide medical or clinical treatment for the injury or disease of the eye from which the person consulting him appears to be suffering, or

(ii) a person or body one of whose functions is to refer or to organise the referral of persons who having consulted a registered optometrist or dispensing optician appear to that optometrist or dispensing optician to be suffering from an injury or disease of the eye to a registered medical practitioner or a person falling within sub-paragraph (i),

provided that he is satisfied that the referral to that person or body is appropriate in the circumstances of the case.

7A. Where a registered optometrist or dispensing optician makes a referral under rule 7, he shall—

(a) record in respect of the person consulting him—

(i) that he has made the referral and the date of the referral,

(ii) a sufficient description of the injury or disease from which that person appears to be suffering, and

(iii) details of any advice or medical or clinical treatment tendered to the patient; and

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- (b) provide to the person to whom the referral is made a written report of his findings indicating—
  - (i) his grounds for thinking that the person may be suffering from injury or disease of the eye;
  - (ii) the urgency of the case, and
  - (iii) where the referral is made to a person falling within rule 7(b)(ii), instructions as to whether the patient should be referred to—
    - (aa) a registered medical practitioner; or
    - (bb) a person who is not a registered medical practitioner, in which case the instructions shall include what qualifications or expertise that person must have.

**7B.** The duty to refer under rule 3 shall not apply to a registered optometrist who—

- (a) has the supplementary prescriber specialty entered on the register against his name under rule 10 of the General Optical Council (Registration Rules) 2005(2); and
- (b) is acting under and in accordance with article 3B of the Prescription Only Medicines (Human Use) Order 1997(3).”

#### **Amendment to the Contact Lens (Qualifications Etc.) Rules 1988**

**3.** In rule 15 of the Contact Lens (Qualifications Etc.) Rules 1988(4) the word “supply” shall be substituted for the word “fit”.

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(2) Scheduled to S.I. 2005/.

(3) (S.I. 1997/1830; relevant amending instruments are S.I. 1998/1178, 2000/2899, 2002/549, 2003/696 and 2915, 2004/2, 696 and 1189 and 2005/848 and 2005/.

(4) Scheduled to S.I. 1988/1305 and amended by S.I. 2005/848.