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STATUTORY INSTRUMENTS

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**2005 No. 848**

**The Opticians Act 1989 (Amendment) Order 2005**

**PART 2**

**The Council, its Committees and Registration**

**Amendment of section 9**

**10.**—(1) Section 9 (list of bodies corporate carrying on business as opticians) is amended as follows.

(2) For subsection (1) substitute—

“(1) The Council shall maintain a register of bodies corporate carrying on business as an optometrist or a dispensing optician or both, containing the names, principal places of business and such other particulars, as may be prescribed by the Council, of the bodies which are entitled under the following provisions of this Act to be registered in it and apply in the prescribed manner to be registered or to have their registration retained in the register.”.

(3) In subsection (2)—

- (a) for the words “enrolled in the appropriate list—” substitute “registered in the register if it satisfies the Council that it is fit to carry on business as an optometrist or a dispensing optician or to carry on both businesses and—”;
- (b) in paragraph (a), for the words “registered opticians” substitute “registered optometrists or registered dispensing opticians”, and for “a registered optician” substitute “a registered optometrist or registered dispensing optician”;
- (c) in paragraph (b), for the word “enrolled” substitute “registered”;
- (d) in paragraph (c)(ii), for the words “ophthalmic optician” substitute “optometrist”; and
- (e) in paragraph (c)(iii), for the word “optician” substitute “optometrist or registered dispensing optician”.

(4) In subsection (3)—

- (a) for the word “enrolled” substitute “registered”; and
- (b) for paragraph (b), substitute—

“(b) been the subject of an order for erasure from the register maintained under subsection (1) above.”.

(5) Any body corporate which was enrolled in one of the lists of bodies corporate carrying on business as an ophthalmic optician or a dispensing optician immediately before the coming into force of paragraph (1) shall be treated on the day that paragraph comes into force as being registered in the register of bodies corporate maintained by the Council under section 9.