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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**

**Insurance**

**12. After section 10 insert—**

**“Insurance for individual registrants and persons applying for their name to be registered**

**10A.—**(1) A registered optometrist or registered dispensing optician must be covered by adequate and appropriate insurance throughout the period during which he is registered in the appropriate register.

(2) A registered optometrist or registered dispensing optician seeking retention of his name in the register must supply to the Council evidence that he is covered by insurance as specified in subsection (1) above.

(3) A person seeking registration or restoration of his name in the register of optometrists or dispensing opticians must supply the Council with evidence that, if his name were to be entered in the appropriate register, he would be covered by adequate and appropriate insurance commencing, at the latest, on the date on which his name was so entered.

(4) The Council may at any other time require a registered optometrist or registered dispensing optician to supply evidence that he is covered by adequate and appropriate insurance.

(5) The Council may make rules specifying the types and amounts of insurance they consider to be adequate and appropriate for the purposes of this section.

(6) A registered optician or registered dispensing optician, or a person seeking registration as an optometrist or a dispensing optician, must inform the Council forthwith if he is no longer covered by insurance which meets the requirements of this section.

(7) If a person fails to comply with the requirements of this section, the registrar may—

- (a) refuse to register his name in the appropriate register;
- (b) refuse to retain his name in the appropriate register;
- (c) refuse to restore his name to the appropriate register; or
- (d) remove his name from the appropriate register,

under section 10(1)(f) or (ff) above, or refer the matter to the Investigation Committee for investigation under section 13D(5) below as if the failure to comply with the requirements of this section constituted an allegation of misconduct for the purposes of section 13D(2)(a) below.

(8) In this section, “insurance” means—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) a policy of insurance providing cover for liabilities which may be incurred in carrying out work as a registered optometrist or registered dispensing optician; and
- (b) an arrangement made for the purposes of indemnifying the person concerned against such liabilities.”.