
STATUTORY INSTRUMENTS

2005 No. 848

The Opticians Act 1989 (Amendment) Order 2005

PART 5

Further amendments

Criminal offences and legal proceedings

21.—(1) In the provisions specified in paragraph (2) below, for the words “level 4” substitute “level 5”.

(2) Those provisions are sections 24(4) (testing of sight), 25(4) (fitting of contact lenses), 27(10) (sale and supply of optical appliances) and 28(1) (penalty for pretending to be registered etc.).

(3) After section 30 insert—

“Legal proceedings

30A.—(1) Notwithstanding anything in any enactment, proceedings for an offence under this Part of this Act may be begun at any time within the period of six months beginning with the date on which evidence sufficient in the opinion of the Council to justify a prosecution for the offence comes to the Council’s knowledge, or within a period of two years beginning with the date of the commission of the offence, whichever period first expires.

(2) In this section, “enactment” means—

- (a) an Act of Parliament;
- (b) an Act of the Scottish Parliament;
- (c) any Northern Ireland legislation; or
- (d) any instrument made under or having effect by virtue of an Act of Parliament, an Act of the Scottish Parliament or any Northern Ireland legislation.”.

(4) The amendments made by this article do not affect any offence committed before this article comes into force.