2005 No. 848

HEALTH CARE AND ASSOCIATED PROFESSIONS
OPTICIANS

The Opticians Act 1989 (Amendment) Order 2005

Made - - - - 22nd March 2005
Coming into force in accordance with article 1(2), (3) and (4)

THE OPTICIANS ACT 1989 (AMENDMENT) ORDER 2005

PART 1
General

1. Citation, commencement and extent
2. Amendment of the Opticians Act 1989

PART 2
The Council, its Committees and Registration

3. Functions of the Council
4. The Council’s Committees
5. The Hearings Panel
6. Delegation
7. Register of optometrists
8. Amendment of section 8
9. Registration for students
10. Amendment of section 9
11. Amendment of section 10
12. Insurance
13. Publication of register

PART 3
Professional training and development

14. Insertion of sections 11A and 11B
15. Education and training  

PART 4  
Fitness to Practise and Proceedings and Appeals  

16. Insertion of Part 2A  
17. Proceedings and appeals  

PART 5  
Further amendments  

18. Fitting of contact lenses  
19. Testing of sight  
20. Eye protection wear  
21. Criminal offences and legal proceedings  
22. Rules  
23. Consumer complaints  
24. Amendment of section 33  
25. Subordinate legislation  
26. Amendment of Schedule 1  
27. Registration appeals  
28. Consequential amendments  
29. Transitional provisions  
Signature  

SCHEDULE 1 — Minor and consequential amendments  
PART 1 — Minor and consequential amendments to the Opticians Act 1989  
1. In section 13 (supervision of training institutions and qualifying examinations)—...  
2. In section 24 (testing of sight)— (a) in subsection (1),...  
3. (1) In section 28 (penalty for pretending to be registered)...  
4. In section 29 (provisions as to death or bankruptcy of...  
5. In section 30 (offences by bodies corporate), the current provision...  
6. In section 31 (miscellaneous matters with respect to which rules...  
7. In section 35(1) (Privy Council quorum and documents), omit the...  
8. In section 36 (interpretation)— (a) omit the definitions of “disciplinary...  
PART 2 — Consequential amendments to primary legislation  
9. The National Health Service Act 1977  
10. The National Health Service (Scotland) Act 1978  
11. Health and Personal Social Services (Northern Ireland) Order 1972  
12. The Data Protection Act 1998  
13. The National Health Service Reform and Health Care Professions Act 2002  
PART 3 — Consequential amendments to subordinate legislation  
15. The Medicines (Contact Lens Fluids and Other Substances) (Exemption from Licences) Order 1979  
16. The Medicines (Contact Lens Fluids and Other Substances) (Advertising and Miscellaneous Amendments) Regulations 1979  
17. The Medicines (Pharmacy and General Sale – Exemption) Order 1980  
19. The Rules on the Fitting of Contact Lenses 1985
20. The Contact Lens (Qualifications etc) Rules 1988
22. The Sight Testing (Examination and Prescription) (No. 2) Regulations 1989
23. The Prescription Pricing Authority Constitution Order 1990
24. The National Health Service (Service Committees and Tribunal) Regulations 1992
25. The Testing of Sight by Persons Training as Ophthalmic Opticians Rules, 1993
26. The Family Health Services Appeal Authority Regulations 1995
27. The Prescription Only Medicines (Human Use) Regulations 1997
28. The Primary Care Trusts (Consultation on Establishment, Dissolution and Transfer of Staff) Regulations 1999
29. The Rules relating to Injury or Disease of the Eye, 1999
30. The Primary Care Trusts (Membership, Procedure and Administration Arrangements) Regulations 2000
31. The General Social Care Council (Appointments and Procedure) Regulations 2001
32. The General Optical Council Election Scheme 2001

SCHEDULE 2 — Transitional provisions
1. In this Schedule, references to— (a) an old Part or...
2. The Disciplinary Committee established under the old section 5 of...
3. For the purpose of exercising those functions, the old Part...
4. Where— (a) an allegation against a registered optician has been...
5. Where after article 16 of this Order comes into force...
6. Any case referred to the Investigation Committee under this Schedule...

Explanatory Note