



Opticians Act 1989

1989 CHAPTER 44

PART II

REGISTRATION AND TRAINING OF OPTICIANS

The registers and lists

7 Registers of opticians.

The Council shall continue to maintain—

- [^{F1}(a) a register of optometrists; and]
- (b) a register of dispensing opticians,

each containing the [^{F2}names and addresses] , and such other particulars as may be prescribed, of all persons who are entitled under the provisions of this Act to be registered in it and who apply in the prescribed manner to be so registered.

Textual Amendments

- F1** S. 7(a) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 7\(1\)\(a\)\(2\)](#) (with Sch. 2)
- F2** Words in s. 7 substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 7\(1\)\(b\)\(2\)](#) (with Sch. 2)

8 Qualifications for being registered.

[^{F3}(1) A person shall be entitled to have his name in the appropriate register if he satisfies the Council that he—

- (a) holds a qualification—
 - (i) as an optometrist or a dispensing optician;
 - (ii) which, at the time it was granted, was approved by the Council under section 12(7)(b) below; and

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- (iii) which was granted to him after receiving instruction from one or more of the establishments approved by the Council under section 12(7)(a) below;
- (b) has had adequate practical experience in the work of an optometrist or a dispensing optician; and
- (c) is a fit person to practise as an optometrist or a dispensing optician.

^{F4}(1A)

- (2) Subject to subsection (2A), a person shall be entitled to have his name in the appropriate register if he satisfies the Council that he—
 - (a) holds a qualification as an optometrist or as a dispensing optician granted outside the United Kingdom;
 - (b) has had adequate practical experience in the work of an optometrist or a dispensing optician; and
 - (c) is a fit person to practise as an optometrist or a dispensing optician.

- (2A) The Council may determine, in relation to any particular person or class of person to which subsection (2) above applies, that before being entitled to have his name in the appropriate register, a person must—
 - (a) obtain such qualification, approved in accordance with section 12(7)(b) below; or
 - (b) pass such test, approved in accordance with section 12(7)(c) below, as they consider appropriate.]

- ^{F5}(2B) A determination under subsection (2A) may not be made in relation to a person whose qualification—
 - (a) was granted in a relevant European State, and
 - (b) indicates, in the opinion of the Council, a level of attainment of competency comparable to that indicated by an approved UK qualification.

^{F6}(2C)]

- ^{F7}(2D) Subsections (2E) to (2H) apply instead of subsections (2) to (2B) in the case of a person whose qualification is a specified state qualification.

- (2E) Subject to subsection (2F), a person is entitled to have the person’s name in the appropriate register if the person satisfies the Council that—
 - (a) the person holds a qualification as an optometrist or as a dispensing optician which is a specified state qualification;
 - (b) the person has had adequate practical experience in the work of an optometrist or dispensing optician; and
 - (c) the person is a fit person to practise as an optometrist or dispensing optician.

- (2F) A person is not entitled to have the person’s name in the appropriate register by virtue of subsection (2E) if the Council determine that one or more of Conditions 1 to 3 are met in relation to the person’s specified state qualification, unless the person satisfies the Council that the person has met the requirement specified in relation to the person under section 8ZA.

- (2G) For the purpose of this section and section 8ZA—

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- (a) Condition 1 is met where there exists a substantial difference between the knowledge and skill evidenced by a person's specified state qualification and the knowledge and skill demonstrated by an approved UK qualification;
 - (b) Condition 2 is met where the professional activities to which an approved UK qualification relates include one or more professional activities that cover substantially different matters from those covered by the person's specified state qualification;
 - (c) Condition 3 is met where requiring the person to take an aptitude test or complete an adaptation period would amount to requiring the person to acquire an approved UK qualification.
- (2H) The Council may determine in relation to a person who holds a qualification as an optometrist or as a dispensing optician which is a specified state qualification that, before being entitled to have the person's name in the appropriate register, the person must pass such test, approved in accordance with section 12(7)(c), as they consider appropriate.
- (2I) Where the Council make a determination that a specified state professional must take a test approved in accordance with section 12(7)(c), the test must be proportionate to the language skills necessary to practise as an optometrist or a dispensing optician.]
- (3) Any person who on 1st January 1959 was entitled to have his name included in one of the health service ophthalmic lists, and whose name had not at that time been removed from one of those lists by direction of a health service tribunal, shall be entitled to be registered in the appropriate register.
- (4) Any person who on an application made not later than 1st June 1961 satisfied the Council—
- (a) that on the date of his application he held a qualification as an [F⁸optometrist] or dispensing optician recognised by them for the purposes of this subsection; and
 - (b) that he had had adequate practical experience in the work of an [F⁹optometrist] or dispensing optician; and
 - (c) that he was of good character,
- shall be entitled to be registered in the appropriate register.
- (5) Any person who on an application made after 1st June 1961 but before this Act came into force satisfied the Council—
- (a) that on 1st June 1961 he held a qualification such as is mentioned in paragraph (a) of subsection (4) above; and
 - (b) that he had had adequate practical experience in the work of an [F¹⁰optometrist] or dispensing optician; and
 - (c) that he was of good character,
- shall be entitled to be registered in the appropriate register.
- (6) Any person who on an application made after this Act comes into force satisfies the Council—
- (a) that on 1st June 1961 he held a qualification such as is mentioned in paragraph (a) of subsection (4) above; and
 - (b) that he has had adequate practical experience in the work of an [F¹¹optometrist] or dispensing optician; and
 - [F¹²(c) that he is a fit person to practise as an optometrist or a dispensing optician,]

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shall be entitled to be registered in the appropriate register.

- (7) In the case of a person whose qualifications (including experience) are appropriate for [^{F13}optometrists, the register of optometrists and the register of dispensing opticians are both appropriate registers] for the purposes of this section and, in the case of a person whose qualifications (including experience) are only appropriate for a dispensing optician, the register of dispensing opticians is appropriate for those purposes.
- [^{F14}(8) A person may have his name in both the register of dispensing opticians and the register of those undertaking training as optometrists.
- (8A) Except as provided in subsection (8) above, a person may not have his name in more than one register.]
- (9) Where the Council have refused to grant an application for registration under subsection (4), (5) or (6) above, the Privy Council, on representations being made to them, may if they think fit, after considering the representations and after communicating with the Council, order the Council to grant the application.
- ^{F15}(10)
- [^{F16}(11) In this section “approved UK qualification” means a qualification that is—
- (a) approved under section 12(7)(b), and
 - (b) granted by an establishment in the United Kingdom that is approved under section 12(7)(a).]

Textual Amendments

- F3** S. 8(1)-(2A) substituted for s. 8(1) (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(2)** (with Sch. 2)
- F4** S. 8(1A) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 3(a)** (with reg. 12A, Sch. 5 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)
- F5** S. 8(2B)(2C) inserted (31.12.2020) by [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 3(b)** (with reg. 12A, Sch. 5 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 13); 2020 c. 1, **Sch. 5 para. 1(1)**)
- F6** S. 8(2C) omitted (1.12.2023) by virtue of [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 37(a)**
- F7** S. 8(2D)-(2I) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 37(b)**
- F8** Word in s. 8(4)(a) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(3)** (with Sch. 2)
- F9** Word in s. 8(4)(b) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(4)** (with Sch. 2)
- F10** Word in s. 8(5)(b) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(4)** (with Sch. 2)
- F11** Word in s. 8(6)(b) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(4)** (with Sch. 2)
- F12** S. 8(6)(c) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(5)** (with Sch. 2)

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- F13** Words in s. 8(7) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(6)** (with [Sch. 2](#))
- F14** S. 8(8)(8A) substituted for s. 8(8) (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 8(7)** (with [Sch. 2](#))
- F15** S. 8(10) omitted (3.12.2007) by virtue of [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **179(b)**
- F16** S. 8(11) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 37(c)**

[^{F17}8ZA Section 8: further provision relating to specified state qualifications

- (1) This section applies where a person who holds a specified state qualification applies to have the person's name in the appropriate register under section 8 and the Council determine that one or both of Conditions 1 and 2 are met in relation to the person's qualification.
- (2) This section does not apply if the Council determine that Condition 3 is met in relation to the person's specified state qualification.
- (3) Where this section applies, the Council must specify what aptitude test or adaptation period, or aptitude test and adaptation period, must be passed or successfully completed by the person before the person is entitled to have the person's name in the appropriate register.
- (4) An aptitude test or adaptation period specified under this section, or an aptitude test and adaptation period together specified under this section, must be proportionate to the difference sought to be addressed.
- (5) The Council must give a person their reasons for specifying an aptitude test or an adaptation period, or both, in relation to the person under this section, if the person makes a written request for them.
- (6) If the Council specify aptitude tests in relation to persons under this section, the Council must ensure that such tests are scheduled with reasonable frequency and at least once a year.]

Textual Amendments

- F17** [S. 8ZA](#) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, **Sch. 3 para. 38**

[^{F18}8A. Registers of students

- (1) The Council shall maintain a register of persons undertaking training as optometrists and a register of persons undertaking training as dispensing opticians.
- (2) A person who is undertaking training provided by an approved training establishment or obtaining practical experience in the work of an optometrist or a dispensing optician shall have his name in the appropriate register.

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- (3) A person shall be entitled to have his name in the appropriate register if he satisfies the Council that he is fit to undertake training as an optometrist or a dispensing optician, and either—
 - (a) he is undertaking, or will be undertaking, training provided by an approved training establishment; or
 - (b) he is obtaining, or will be obtaining, practical experience in the work of—
 - (i) an optometrist under the supervision of a registered medical practitioner or a registered optometrist; or
 - (ii) a dispensing optician under the supervision of a registered medical practitioner, a registered optometrist or a registered dispensing optician.
- (4) Each register shall contain the names and addresses of the persons who are registered under this section, together with such other particulars as the Council may prescribe in rules.
- (5) The Council may make rules as to the circumstances in which a person’s name may be removed from a register maintained under this section.]

Textual Amendments
F18 S. 8A inserted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 9** (with Sch. 2)

F198B. Visiting opticians from relevant European States: registers

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Textual Amendments
F19 Ss. 8B-8D omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 4** (with reg. 12A, Sch. 5 Pt. 2) (as amended by [S.I. 2020/1394](#), regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)

F198C. Visiting optometrists: entitlement to registration

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Textual Amendments
F19 Ss. 8B-8D omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 4** (with reg. 12A, Sch. 5 Pt. 2) (as amended by [S.I. 2020/1394](#), regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)

F198D. Visiting dispensing opticians: entitlement to registration

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Textual Amendments

F19 Ss. 8B-8D omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/593), reg. 1(2), [Sch. 5 para. 4](#) (with reg. 12A, Sch. 5 Pt. 2) (as amended by [S.I. 2020/1394](#), regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)

9 List of bodies corporate carrying on business as opticians.

- [^{F20}(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.]
- (2) Subject to subsection (3) below, a body corporate shall be entitled to be [^{F21}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—]
- (a) if it satisfies the Council that a majority of its directors are [^{F22}registered optometrists or registered dispensing opticians] or, in the case of a body corporate having only one director, that he is [^{F22a}a registered optometrist or registered dispensing optician] ;
 - (b) if on 20th November 1957 its name or a name under which it carried on business was included in one of the health service ophthalmic lists or if it subsequently came into existence on the reconstruction of a body corporate entitled to be [^{F23}registered] by virtue of this paragraph;
 - (c) if it satisfies the Council—
 - (i) that the greater part of its business consists of activities other than the testing of sight and the fitting and supply of optical appliances; and
 - (ii) that so much of its business as consists of the testing of sight is carried on under the management of a registered [^{F24}optometrist] ; and
 - (iii) that so much of its business as consists of the fitting and supply of optical appliances is carried on under the management of a registered [^{F25}optometrist or registered dispensing optician] ; or
 - (d) if—
 - (i) it is [^{F26}a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 or a society registered under] the ^{M1}Industrial and Provident Societies Act (Northern Ireland) 1969; and
 - (ii) it satisfies the Council that so much of its business as consists of the testing of sight, or of the fitting and supply of optical appliances, as the case may be, is carried on under such management as is mentioned in paragraph (c)(ii) and (iii) above.
- (3) A body corporate shall not be entitled to be [^{F27}registered] by virtue of subsection (2) (b) above if its name, or the name of any body on whose reconstruction it came into existence, or a name under which it or any such body carried on business has at any time—
- (a) been removed from one of the health service ophthalmic lists by direction of a health service tribunal; or

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[^{F28}(b) been the subject of an order for erasure from the register maintained under subsection (1) above.]

Textual Amendments

- F20** S. 9(1) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(2\)](#) (with art. 10(5), [Sch. 2](#))
- F21** Words in s. 9(2) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(3\)\(a\)](#) (with art. 10(5), [Sch. 2](#))
- F22** Words in s. 9(2)(a) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(3\)\(b\)](#) (with art. 10(5), [Sch. 2](#))
- F23** Word in s. 9(2)(b) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(3\)\(c\)](#) (with art. 10(5), [Sch. 2](#))
- F24** Word in s. 9(2)(c)(ii) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(3\)\(d\)](#) (with art. 10(5), [Sch. 2](#))
- F25** Words in s. 9(2)(c)(iii) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(3\)\(e\)](#) (with art. 10(5), [Sch. 2](#))
- F26** Words in s. 9(2)(d)(i) substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, [Sch. 4 para. 44](#) (with [Sch. 5](#))
- F27** Word in s. 9(3) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(4\)\(a\)](#) (with art. 10(5), [Sch. 2](#))
- F28** S. 9(3)(b) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 10\(4\)\(b\)](#) (with art. 10(5), [Sch. 2](#))

Marginal Citations

M1 1969 c.24. (N.I.)

10 General provisions as to registers and lists.

- (1) The Council may make rules with respect to the form and keeping of the registers ^{F29}... and the making of entries and alterations in them and, in particular—
- (a) regulating the making of applications for registration ^{F30}... or for transfer from one register ^{F30}... to another, and providing for the evidence to be produced in support of any such application;
- [^{F31}(b) providing for—
- (i) the notification to the Council of any change in the information provided by the registrant to the Council in accordance with rules made under paragraph (c)(ii) below; and
- (ii) the removal from the appropriate register of the name of the registrant if he fails to notify the Council of any such change;
- (c) ^{F32}[^{F33}... prescribing] —
- (i) a fee to be charged;
- (ii) information to be provided to the Council; and

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- (iii) the time within which the fee is to be paid and the information provided,
for the entry or retention of a name in, or the restoration of a name to, a register;]
 - ^{F34}(d)
 - (e) providing for the entry in the register of qualifications (whether or not approved under [^{F35}section 12(7)(b) below]) possessed by persons whose names are registered in it and for the removal of such qualifications from the register, and prescribing a fee to be charged in respect of the entry;
 - [^{F36}(f) authorising the registrar to refuse to enter or retain a name in, or restore a name to, the appropriate register until the fee prescribed under paragraph (c) (i) has been paid, and the information prescribed under paragraph (c)(ii) and the evidence required by section 10A(3) has been provided, to the Council;
 - (ff) authorising the registrar to remove a person’s name from the appropriate register if he ceases to satisfy the requirements for registration specified in section 8, 8A or 9 above, or ceases to satisfy the requirement to be insured under section 10A(1) below, or fails to pay any fee due or provide any information he is required to provide;]
 - (g) prescribing anything required or authorised to be prescribed by the provisions of this Act relating to the registers ^{F37}....
- ^{F38}(1ZA)
- [^{F39}(1ZB) If rules under this section prescribe a fee to be charged on the entry of a person’s name in the register in a case where the person applies for registration in reliance on a specified state qualification, the fee must be—
- (a) reasonable and proportionate to the cost of dealing with such a person’s application;
 - (b) transparent, and made public in advance; and
 - (c) payable by electronic means through the Council’s own website.
- (1ZC) Where a person applies for registration under section 8 in reliance on a specified state qualification, the Council must—
- (a) within the period of one month beginning with the date of receipt of the application—
 - (i) acknowledge receipt of the application; and
 - (ii) inform the applicant of any missing document required for the purposes of the application;
 - (b) give the applicant adequate time to complete the requirements and procedures of the application process;
 - (c) ensure that the documentary and other evidence which is to accompany applications for registration is no more than is necessary to demonstrate to the Council that the applicant satisfies each of the requirements imposed by or under section 8;
 - (d) accept copies of documents in place of original documents (subject to such provision about verifying copies as is made by rules under subsection (1)) unless the Council require original documents to protect the integrity of the application process;
 - (e) deal promptly with the application; and

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- (f) as soon as reasonably practicable and in any event within four months beginning with the relevant date, notify the applicant in writing of the result of the application.

(1ZD) In subsection (1ZC)(f), “the relevant date”, in relation to an application, is—

- (a) the date on which the Council receive the application; or
- (b) if any document required for the purposes of the application is missing when the Council receive the application, the date on which the Council first have all the documents required for those purposes.

(1ZE) If the Council make a request for further evidence, information or documents from the applicant, the period beginning with the date on which the Council make that request and ending with the date on which the applicant complies with that request is to be disregarded in determining whether the period of four months referred to in subsection (1ZC)(f) has expired.]

[^{F40}(1A) The Council may make rules—

- (a) specifying specialties or levels of proficiency which a registered optometrist or registered dispensing optician may be permitted to register;
- (b) enabling the registrar to enter in the appropriate register particulars of a registered optometrist’s or registered dispensing optician’s specialties or proficiencies where such requirements as may be prescribed for inclusion of such an entry have been met;
- (c) enabling the registrar to remove from the appropriate register particulars of a registered optometrist’s or registered dispensing optician’s specialties or proficiencies in such circumstances as may be prescribed;
- (d) applying with or without modification rules made under subsection (1) above to specialties and proficiencies;
- (e) specifying the activities or work which may be performed by registered optometrists or registered dispensing opticians whose registration in the appropriate register includes particulars registered in accordance with rules made under paragraph (b) above; and
- (f) providing that the performing of such activities or work by a registered optometrist or registered dispensing optician whose registration in the appropriate register does not include such particulars shall be treated as adversely affecting a registered optometrist’s or registered dispensing optician’s fitness to practise.]

(2) On registering the death of [^{F41}a registrant] a registrar shall send forthwith by post to the registrar of the Council a copy certified under his hand of the entry relating to the death in the register of deaths; and the cost of the certificate and of sending it by post shall be payable by the registrar of the Council to the registrar of births and deaths from whom it is received.

^{F42}(3)

^{F42}(4)

[^{F43}(5) The Council may make rules providing for—

- (a) the communication of documents in electronic form to the Council; and
- (b) the electronic storage of documents communicated to the Council whether or not in electronic form.]

Changes to legislation: Opticians Act 1989, Part II is up to date with all changes known to be in force on or before 24 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Subordinate Legislation Made

- P1** S.10: power exercised by S.I. 1991/79 and for previous exercises of this power see Index to Government Orders

Textual Amendments

- F29** Words in s. 10(1) omitted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by virtue of [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(a\)](#) (with [Sch. 2](#))
- F30** Words in s. 10(1)(a) omitted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by virtue of [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(b\)](#) (with [Sch. 2](#))
- F31** S. 10(1)(b)(c) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(c\)](#) (with [Sch. 2](#))
- F32** Words in s. 10(1)(c) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), [Sch. 5 para. 5\(a\)](#) (with reg. 12A, Sch. 5 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)
- F33** Word in s. 10(1)(c) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), [181\(a\)](#)
- F34** S. 10(1)(d) omitted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by virtue of [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(d\)](#) (with [Sch. 2](#))
- F35** Words in s. 10(1)(e) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(e\)](#) (with [Sch. 2](#))
- F36** S. 10(1)(f)(ff) substituted for s. 10(1)(f) (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(f\)](#) (with [Sch. 2](#))
- F37** Words in s. 10(1)(g) omitted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by virtue of [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(2\)\(g\)](#) (with [Sch. 2](#))
- F38** S. 10(1ZA) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), [Sch. 5 para. 5\(b\)](#) (with reg. 12A, Sch. 5 Pt. 2) (as amended by S.I. 2020/1394, regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)
- F39** S. 10(1ZB)-(1ZE) inserted (1.12.2023) by [The Recognition of Professional Qualifications and Implementation of International Recognition Agreements \(Amendment\) Regulations 2023 \(S.I. 2023/1286\)](#), reg. 1, [Sch. 3 para. 39](#)
- F40** S. 10(1A) inserted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(3\)](#) (with [Sch. 2](#))
- F41** Words in s. 10(2) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(4\)](#) (with [Sch. 2](#))
- F42** S. 10(3)(4) omitted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by virtue of [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(5\)](#) (with [Sch. 2](#))
- F43** S. 10(5) added (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 11\(6\)](#) (with [Sch. 2](#))

[^{F44}10A. Indemnity arrangements for individual registrants and persons applying for their name to be registered

- (1) A registered optometrist or registered dispensing optician who practises as such must have in force in relation to him an indemnity arrangement which provides appropriate cover for practising as such.

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- (2) For the purposes of this section, an “indemnity arrangement” may comprise—
 - (a) a policy of insurance;
 - (b) an arrangement made for the purposes of indemnifying a person;
 - (c) a combination of the two.
- (3) For the purposes of this section, “appropriate cover”, in relation to practice as a registered optometrist or registered dispensing optician, means cover against liabilities that may be incurred in practising as such which is appropriate, having regard to the nature and extent of the risks of practising as such.
- (4) The Council may make rules in connection with the information provided to the registrar—
 - (a) by or in respect of a person seeking registration in the register of optometrists or dispensing opticians for the purpose of determining whether, if his name is entered in the appropriate register, there will be in force in relation to him by the time he begins to practise an indemnity arrangement which provides appropriate cover;
 - (b) by or in respect of a person seeking restoration of his name in the register of optometrists or dispensing opticians for the purpose of determining whether, if his name is restored in the appropriate register, there will be in force in relation to him by the time he resumes practice an indemnity arrangement which provides appropriate cover; and
 - (c) by or in respect of a registered optometrist or registered dispensing optician seeking retention of his name in the register of optometrists or dispensing opticians for the purpose of determining whether, if his name is retained in the appropriate register, there will continue to be in force in relation to him an indemnity arrangement which provides appropriate cover.
- (5) Rules made under subsection (4)(c) may require the information mentioned there to be provided—
 - (a) at the request of the registrar; or
 - (b) on such dates or at such intervals as the registrar may determine, either generally or in relation to individual registrants or registrants of a particular description.
- (6) The Council may also make rules requiring a registered optometrist or registered dispensing optician to inform the registrar if there ceases to be in force in relation to him an indemnity arrangement which provides appropriate cover.
- (7) The Council may also make rules requiring a registered optometrist or registered dispensing optician to inform the registrar if there is in force in relation to him, appropriate cover provided under an indemnity arrangement provided by an employer.
- (8) Where a person fails to comply with rules made under subsection (4), or there is a failure to comply with rules made under subsection (4) in relation to him, the registrar may—
 - (a) refuse to register his name in the appropriate register;
 - (b) refuse to restore his name to the appropriate register; or
 - (c) remove his name from the appropriate register.
- (9) Where a registered optometrist or registered dispensing optician is in breach of subsection (1) or fails to comply with rules made under this section—

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- (a) the registrar may remove that person's name from the appropriate register; or
 - (b) the breach or failure may be treated as misconduct for the purposes of section 13D(2)(a), and the registrar may refer the matter to the Investigation Committee under section 13D(5).
- (10) Where a person's name has been removed from the appropriate register under subsection (8)(c) or (9)(a), that name shall be restored to the appropriate register on that person's application, if the registrar is satisfied that the person meets the requirements of—
- (a) section 8(1) or (2);
 - (b) this section; and
 - (c) any rules made under section 7, 11A or 11B(6) which apply to that person's case.

^{F45}(11)]

Textual Amendments

- F44** S. 10A substituted (17.7.2014) by [The Health Care and Associated Professions \(Indemnity Arrangements\) Order 2014 \(S.I. 2014/1887\)](#), art. 1(2), **Sch. 1 para. 7** (with Sch. 3 paras. 6-9)
- F45** S. 10A(11) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 6** (with reg. 12A, Sch. 5 Pt. 2) (as amended by [S.I. 2020/1394](#), regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)

[^{F46}11 Publication of registers and proof of registration

- (1) The Council shall publish from time to time information from each register in such form (including electronic form) as they consider appropriate.
- (2) The information published by the Council shall include—
 - (a) a list of all persons or bodies whose names are in the registers on a date specified by the Council at the time of publication;
 - (b) the number assigned to the person or body on the appropriate register; and
 - (c) such other particulars (if any) as the Council may direct in relation to registrants or a particular class of registrants.
- (3) A copy of the appropriate register purporting to be published by the Council shall be evidence (and in Scotland sufficient evidence) in all proceedings that the persons or bodies whose names are in the appropriate register are registrants, and the absence of the name of any person or body from such a copy of the appropriate register shall be evidence, until the contrary is shown, that that person or body is not a registrant.
- (4) The registrar may issue a certificate that—
 - (a) a person's or body's name is in the appropriate register;
 - (b) a person's or body's name is not in the appropriate register;
 - (c) a person's or body's name was in the appropriate register at a specified date or during a specified period;
 - (d) a person's or body's name was not in the appropriate register at a specified date or during a specified period; or
 - (e) a person's or body's name has never been in the appropriate register.

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- (5) A certificate issued under subsection (4) above shall be evidence (and in Scotland sufficient evidence) of the matters certified.
- (6) Subsections (3) and (4) above shall apply to entries made in accordance with rules made under section 10(1A) above as they apply to registration in the appropriate register.]

Textual Amendments

F46 S. 11 substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 13](#) (with [Sch. 2](#))

Training and Qualifications

[^{F47}11A. Requirement for continuing education and training

- (1) The Council may by rules make a scheme providing for the continuing education and training of—
 - (a) registered optometrists and registered dispensing opticians; and
 - (b) others who have been but who are not so registered and who seek registration, whether by way of restoration or otherwise.
- (2) Such a scheme may in particular—
 - (a) impose requirements on persons to whom the scheme applies for continuing education and training;
 - (b) provide for a person appointed by the Council (“the administrator”) to administer the scheme;
 - (c) specify, or provide for the administrator to specify, the steps which persons to whom the scheme applies are expected to take to ensure they meet requirements imposed under the scheme for continuing education and training;
 - (d) specify the procedures which persons to whom the scheme applies must follow in order to satisfy the Council that the requirements imposed upon them under the scheme have been met;
 - (e) provide for the Council to impose additional education and training requirements on those persons against whose name in the appropriate register an entry is made in accordance with rules made under section 10(1A) above; and
 - (f) include provision for education and training undertaken before the scheme comes into force, or undertaken outside the United Kingdom, to count towards the satisfaction of any requirement imposed in accordance with the preceding provisions of this subsection.
- (3) The rules may require the administrator to secure the provision of education and training—
 - (a) sufficient in quantity to meet the reasonable needs of persons to whom the scheme applies; and
 - (b) of a quality adequate to meet those needs.
- (4) The rules may—

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- (a) require persons (“providers”) who seek to provide education and training for persons to whom the scheme applies to apply to the administrator for approval;
- (b) require the approval of the administrator for any curriculum established for the purpose of meeting the educational and training requirements of persons to whom the scheme applies, and for any lessons or activities provided for such persons;
- (c) provide for the charging of fees by the administrator for approval by him;
- (d) set the level of fees required to be paid for approval by the administrator and to provide for the collection of fees due;
- (e) require the keeping of records by providers and specify the period for which those records must be kept;
- (f) require records kept by providers to be produced for inspection at such time and such place as may be specified in accordance with the rules;
- (g) specify the procedures which must be followed by providers seeking approval under the rules; and
- (h) enable the Council to exercise in specified circumstances any of the administrator’s functions.

F48(5)

F48(6)

F48(7)

Textual Amendments

F47 Ss. 11A, 11B inserted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 14** (with Sch. 2)

F48 S. 11A(5)-(7) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 7** (with reg. 12A, Sch. 5 Pt. 2) (as amended by [S.I. 2020/1394](#), regs. 4, 13); 2020 c. 1, Sch. 5 para. 1(1)

11B. Failure to satisfy requirements imposed under a scheme

(1) If it appears to the registrar that a person has failed to satisfy requirements for continuing education and training imposed upon him under a scheme made by virtue of section 11A above, the registrar may—

- (a) remove from the appropriate register, or refuse to retain in the appropriate register, the registrant’s name; or
- (b) refuse to restore the person’s name to the appropriate register.

F49(1A)

F49(1B)

F49(1C)

(2) If it appears to the registrar that a person has failed to satisfy requirements for additional education and training imposed upon him under a scheme by virtue of section 11A(2)(e) above, the registrar may—

- (a) remove from the appropriate register, or refuse to retain in the appropriate register, the registrant’s entry relating to a speciality or proficiency; or

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- (b) refuse to restore the registrant’s entry relating to a specialty or proficiency in the appropriate register.
- (3) The registrar must serve on any person whose name or entry he removes from, or whose name he refuses to retain in or restore to, the appropriate register under this section, notice of his decision and the reasons for it.
- (4) If the registrar exercises his powers under subsection (1) above, and the person whose name is removed from, or not retained in, or restored to, the appropriate register—
 - (a) subsequently satisfies the registrar that he has met the requirements provided for under the scheme as to continuing education and training; and
 - (b) meets the other requirements for registration,
 the registrar must restore his registration.
- (5) If the registrar exercises his powers under subsection (2) above, and the registrant whose entry relating to a specialty or proficiency is removed from, not retained in, or restored to, the appropriate register—
 - (a) subsequently satisfies the registrar that he has now met the requirements for additional education and training; and
 - (b) meets the other requirements for an entry relating to a specialty or proficiency set out in rules made in accordance with section 10(1A) above,
 the registrar must make the entry.
- (6) The Council may make rules as to the procedures to be followed before the registrar—
 - (a) may refuse under this section—
 - (i) to retain in the register the name of a person; or
 - (ii) to retain in the register an entry relating to a specialty or proficiency;
 or
 - (b) may make a decision whether or not to restore a person’s name to the appropriate register or to restore an entry relating to a proficiency or specialty in accordance with this section.]

Textual Amendments

- F47** Ss. 11A, 11B inserted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **art. 14** (with **Sch. 2**)
- F49** S. 11B(1A)-(1C) omitted (31.12.2020) by virtue of [The European Qualifications \(Health and Social Care Professions\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/593\)](#), reg. 1(2), **Sch. 5 para. 8** (with reg. 12A, **Sch. 5 Pt. 2**) (as amended by [S.I. 2020/1394](#), regs. 4, 13); 2020 c. 1, **Sch. 5 para. 1(1)**)

[^{F50}12 Education and training

- (1) The Council shall from time to time establish—
 - (a) the competencies which a person must be able to demonstrate in order to be granted a qualification as an optometrist or a dispensing optician; and
 - (b) the content and the standard of education and training (including practical experience) required for the purpose of achieving those competencies.
- (2) The Council must consult and seek advice from—

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- (a) the Standards Committee before establishing the competencies specified in subsection (1)(a) above;
 - (b) the Education Committee before establishing the requirements specified in subsection (1)(b) above.
- (3) The competencies and requirements established under subsection (1) above shall be published by the Council from time to time in such form as appears to the Council to be appropriate.
- (4) The Standards Committee and the Education Committee—
 - (a) must respectively keep under review the competencies and requirements established under subsection (1) above; and
 - (b) must each advise the Council if they consider changes to be necessary.
- (5) The Council must take into account any advice received from the Standards Committee and the Education Committee under subsection (4) above and must, if the Council consider it appropriate to do so, establish and publish revised competencies or requirements.
- (6) The Council must ensure that those establishments approved by the Council under subsection (7)(a) below who are engaged in the education, training or assessment of optometrists or dispensing opticians are notified of—
 - (a) the competencies and requirements established under subsections (1) and (5) above; and
 - (b) the requirements for the approval of any form of assessment under subsection (7)(b) below.
- (7) The Council may approve—
 - (a) establishments where the instruction given to persons receiving education or training as optometrists or as dispensing opticians appears to the Council to be such as to provide them with adequate knowledge and skills to achieve the competencies for the practice of their profession;
 - (b) a qualification as an optometrist or a dispensing optician granted to candidates following success in an examination or other form of assessment which in the Council's opinion indicates that the candidate has attained all the competencies for the time being established under subsections (1)(a) and (5) above; and
 - (c) any test of a candidate's competency in, or knowledge of, the English language carried out by an educational establishment on candidates seeking entry to courses for optometrists or dispensing opticians offered by that establishment.
- (8) If—
 - (a) an establishment referred to in subsection (7)(a) above is outside the United Kingdom; or
 - (b) a qualification referred to in subsection (7)(b) above is granted by an establishment which is outside the United Kingdom,the Council may, before determining whether to give their approval, commission others to advise and report on the suitability of the establishment or qualification.
- (9) The Council may also approve—
 - (a) establishments which provide only some of the education or training; or
 - (b) qualifications which meet only some of the requirements,

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needed to achieve the competencies referred to in subsection (1)(a) above.

- (10) The Council must from time to time publish, in such form (including electronic form) as they consider appropriate, a list of establishments and qualifications approved by them, indicating the purposes for which the approval was granted.
- (11) Subsections (1) to (10) above shall apply in relation to specialties and proficiencies specified under section 10(1A) above as they apply in relation to qualifications as an optometrist or a dispensing optician.]

Textual Amendments

F50 S. 12 substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), [art. 15](#) (with [Sch. 2](#))

13 Supervision of training [^{F51}establishments] and qualifying [^{F52}assessments] .

- (1) It shall be the duty of the Council to keep themselves informed of the nature of the instruction given by any approved training [^{F51}establishment] to persons training as [^{F53}optometrists or dispensing opticians] and of the [^{F54}assessments] on the results of which approved qualifications are granted.
- (2) For the purposes of their duty under subsection (1) above the Council may appoint persons to visit approved training [^{F51}establishments] and to attend at the [^{F54}assessments] held by the bodies which grant approved qualifications.
- (3) No visitor shall interfere with the giving of any instruction or the holding of any [^{F55}assessment] .
- (4) It shall be the duty of visitors to report to the Council—
- (a) as to the sufficiency of the instruction given by the [^{F51}establishments] visited by them, or of the [^{F56}assessments] attended by them; and
 - (b) as to any other matters relating to such [^{F51}establishments] or [^{F56}assessments] which may be specified by the Council either generally or in any particular case.
- (5) Where it appears to the Council (as a result of a report under subsection (4) above or otherwise)—
- (a) that—
 - (i) the instruction given by any approved training [^{F51}establishment] to persons training as [^{F57}optometrists or dispensing opticians] ; or
 - (ii) the [^{F58}assessment undertaken] by such persons,
 are not such as to secure the possession by them of adequate knowledge and skill for the practice of their profession; and
 - (b) that for that reason the approval of the [^{F51}establishment] or qualification in question should be withdrawn,
- the Council shall give notice in writing to the [^{F51}establishment] or body of their opinion, sending with the notice a copy of any report on which their opinion is based.
- [^{F59}(5A) Where rules are made under section 23A(2) above, a notice under subsection (5) above or subsection (8) below may be given by means of an electronic communication.]

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- (6) On the receipt of the notice the [^{F51}establishment] or body may, within such period (not being less than one month) as the Council may have specified in the notice, make to the Council observations on the notice and any report sent with it or objections to the notice and report.
- (7) As soon as may be after the expiration of the period specified under subsection (6) above the Council shall determine whether or not to withdraw their approval of the [^{F51}establishment] or qualification, taking into account any observations or objections duly made under that subsection.
- (8) The Council shall give notice in writing of any decision under this section to withdraw approval of an [^{F51}establishment] or qualification to the [^{F51}establishment] or body concerned and the decision shall not take effect until the expiration of one month from the date of the giving of the notice or, if during that time that [^{F51}establishment] or body makes representations with respect to the decision to the Privy Council, until the representations are finally dealt with.
- (9) Where an [^{F51}establishment] has been approved as suitable for more than one purpose, the Council, instead of entirely withdrawing approval of the [^{F51}establishment], may withdraw approval in relation to one or some of the purposes only and references in this section to the withdrawal of approval shall be construed accordingly.
- (10) Where the Council have decided to withdraw approval of an [^{F51}establishment] or a qualification (whether entirely or to a limited extent), the Privy Council, on representations being made to them within one month from the giving of notice of the decision may, if they think fit, after considering the representations and after communicating with the Council, order the Council to annul the withdrawal of approval or, in the case of an [^{F51}establishment] approved as suitable for more than one purpose, to withdraw approval in relation to one or some of the purposes only.
- (11) The Council may pay to visitors appointed under this section such fees and such travelling and subsistence allowances, to be paid as part of the expenses of the Council, as the Council may ^{F60}... determine.

Textual Amendments

- F51** Words in s. 13 substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(a)** (with Sch. 2)
- F52** Word in s. 13 heading substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(c)** (with Sch. 2)
- F53** Words in s. 13(1) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(b)** (with Sch. 2)
- F54** Word in s. 13(1)(2) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(c)** (with Sch. 2)
- F55** Word in s. 13(3) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(d)** (with Sch. 2)
- F56** Word in s. 13(4)(a)(b) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(c)** (with Sch. 2)
- F57** Words in s. 13(5)(a)(i) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(b)** (with Sch. 2)

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- F58** Words in s. 13(5)(a)(ii) substituted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(e)** (with [Sch. 2](#))
- F59** S. 13(5A) inserted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(f)** (with [Sch. 2](#))
- F60** Words in s. 13(11) omitted (coming into force in accordance with art. 1(3)-(6) of the amending S.I.) by virtue of [The Opticians Act 1989 \(Amendment\) Order 2005 \(S.I. 2005/848\)](#), **Sch. 1 para. 1(g)** (with [Sch. 2](#))

Changes to legislation:

Opticians Act 1989, Part II is up to date with all changes known to be in force on or before 24 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13D(2)(h)(i) inserted by [S.I. 2008/1774 Sch. 2 para. 2](#) (This amendment not applied to legislation.gov.uk. It was due to come into force on the coming into force of s. 44(1) of the Safeguarding Vulnerable Groups Act 2006 (c. 47), see art. 1(4). S. 44(1) was repealed without ever being in force on 10.9.2012 by 2012 c. 9, s. 75(6), Sch. 10 Pt. 5; S.I. 2012/2234, art. 2)
- s. 13AA inserted by [2008 c. 14 Sch. 7 para. 30](#)
- s. 23I inserted by [2008 c. 14 Sch. 7 para. 46](#)
- s. 23AA inserted by [2008 c. 14 Sch. 7 para. 39](#)
- s. 23CA inserted by [2008 c. 14 Sch. 7 para. 42](#)