



Opticians Act 1989

1989 CHAPTER 44

PART III

DISCIPLINARY PROCEEDINGS

23 Appeals in disciplinary and other cases.

- (1) At any time within 28 days from the service of a notification in relation to an individual or body corporate under section 17 or 19 above, that individual or body corporate may, in accordance with such rules as Her Majesty in Council may by Order provide for the purposes of this section, appeal to Her Majesty in Council; and the ^{M1}Judicial Committee Act 1833 shall apply in relation to the Disciplinary Committee as it applies to such courts as are mentioned in section 3 of that Act.
- (2) The Council may appear as respondent on any such appeal, and for the purpose of enabling directions to be given as to the costs of any such appeal the Council shall be deemed to be a party to the appeal, whether they appear on the hearing of the appeal or not.
- (3) Where—
 - (a) no appeal is brought against—
 - (i) a disciplinary order; or
 - (ii) a direction under section 17(9) above; or
 - (iii) a direction under section 19 above; or
 - (b) such an appeal is brought but withdrawn or struck out for want of prosecution, the order or direction shall take effect on the expiration of the time for appealing or, as the case may be, on the withdrawal or striking out of the appeal.
- (4) Subject as aforesaid, where an appeal is brought against any such order or direction, it shall take effect if and when the appeal is dismissed and not otherwise.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Opticians Act 1989, Section 23 is up to date with all changes known to be in force on or before 25 May 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)

Marginal Citations

M1 [1833 c.41.](#)

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