

## SCHEDULE 2

Article 29

### Transitional provisions

1. In this Schedule, references to—
  - (a) an old Part or old section is to the Part or section of that Act as it had effect immediately before its amendment or substitution by this Order; and
  - (b) a new Part or new section is to the Part or section of that Act as amended or substituted by this Order.
2. The Disciplinary Committee established under the old section 5 of the Act shall continue in being after the coming into force of article 16 of this Order for the purpose of exercising its functions under this Schedule.
3. For the purpose of exercising those functions, the old Part III of the Act shall continue to apply.
4. Where—
  - (a) an allegation against a registered optician has been referred for consideration by the Disciplinary Committee under the old Part III of the Act, the Disciplinary Committee shall continue to deal with that case after the coming into force of article 16 of this Order; or
  - (b) an allegation has been made to or on behalf of the Council against a registered optician that his fitness to practise is or may be impaired within the meaning of the new section 13D of the Act and the Council has not, before the day article 16 of this Order comes into force, referred that allegation to the Disciplinary Committee, the Council shall refer the allegation to the Investigation Committee to investigate the allegation under the new section 13D of the Act.
5. Where after article 16 of this Order comes into force an allegation is made against a registered optician that his fitness to practise is or may be impaired within the meaning of the new section 13D of the Act and the allegation refers to events which occurred before article 16 came into force, the Council shall refer the allegation to the Investigation Committee for investigation under the new section 13C of the Act.
6. Any case referred to the Investigation Committee under this Schedule shall be dealt with by the Committee, and by the Fitness to Practise Committee in any case referred to that Committee by the Investigation Committee, in accordance with new Parts 2A and 3A.