



Opticians Act 1989

1989 CHAPTER 44

PART II

REGISTRATION AND TRAINING OF OPTICIANS

The registers and lists

8 Qualifications for being registered.

[^{F1}(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
 - (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.

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

- [^{F2}(a) is an exempt person;
- (b) is permitted to pursue the profession of optometrist or dispensing optician in the United Kingdom by virtue of Part 3 of the General Systems Regulations (having, in particular, successfully completed any adaptation period, or passed any aptitude test, that he may be required to undertake pursuant to that Part of those Regulations); and]
- (c) is a fit person to practise as an optometrist or a dispensing optician.

Status: Point in time view as at 03/12/2007. This version of this provision has been superseded.

Changes to legislation: Opticians Act 1989, Section 8 is up to date with all changes known to be in force on or before 07 June 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)

- (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.]
- (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 [F³optometrist] 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 [F⁴optometrist] 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 [F⁵optometrist] 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 [F⁶optometrist] or dispensing optician; and
 - [F⁷(c) that he is a fit person to practise as an optometrist or a dispensing optician,]
- shall be entitled to be registered in the appropriate register.
- (7) In the case of a person whose qualifications (including experience) are appropriate for [F⁸optometrists, the register of optometrists and the register of dispensing opticians are

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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.

[^{F9}(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.

^{F10}(10)

Textual Amendments

- F1** 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](#))
- F2** S. 8(1A)(a)(b) substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **179(a)**
- F3** 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](#))
- F4** 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](#))
- F5** 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](#))
- F6** 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](#))
- F7** 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](#))
- F8** 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](#))
- F9** 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](#))
- F10** 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)**

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