
STATUTORY INSTRUMENTS

1994 No. 70

OPTICIANS

**The General Optical Council (Testing of Sight by Persons
Training as Ophthalmic Opticians Rules) Order of Council 1994**

Made - - - - - *17th January 1994*

Coming into force - - - *17th January 1994*

At the Council Chamber, Whitehall,

The 17th day of January 1994

By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of section 24(3) of the Opticians Act 1989⁽¹⁾ the General Optical Council have made the General Optical Council Testing of Sight by Persons Training as Ophthalmic Opticians Rules 1993 as set out in the Schedule to this Order:

And whereas by section 34 of that Act such rules shall not come into force until approved by Order of the Privy Council:

Now, therefore, Their Lordships, having taken the said rules into consideration, are hereby pleased to approve the same.

This Order may be cited as the General Optical Council (Testing of Sight by Persons Training as Ophthalmic Opticians Rules) Order of Council 1994.

The General Optical Council (Rules on the Testing of Sight by Persons Training as Ophthalmic Opticians) Order of Council 1974⁽²⁾, which becomes spent upon the revocation under rule 5 of rules scheduled to this Order, is hereby revoked.

N.H. Nicholls
Clerk of the Privy Council

(1) 1989 c. 44.
(2) S.I. 1974/1329.

SCHEDULE

THE GENERAL OPTICAL COUNCIL TESTING OF SIGHT BY PERSONS TRAINING AS OPHTHALMIC OPTICIANS RULES 1993

The General Optical Council in exercise of their powers under section 24(3) of the Opticians Act 1989 hereby make the following Rules:—

Citation

1. These Rules may be cited as the Testing of Sight by Persons Training as Ophthalmic Opticians Rules 1993.

Interpretation

2. In these Rules, unless the context otherwise requires:—

“the Act” means the Opticians Act 1989;

“approved qualification” means a qualification approved by the Council under section 12 of the Act as suitable to be granted to ophthalmic opticians;

“approved training institution” means an institution approved by the Council under section 12 of the Act (as suitable for the training of ophthalmic opticians);

“the Council” means the General Optical Council; and

“ophthalmic optician” and “registered ophthalmic optician” have the meanings given them in section 36 of the Act.

Exemption from section 24(1) of the Act of testing of sight by Persons Training as Ophthalmic Opticians

3. Any testing of sight which is carried out:—

(a) by a person in the course of his training as an ophthalmic optician who falls within any of the classes prescribed in Rule 4, and

(b) under the continuous personal supervision of a registered ophthalmic optician or a registered medical practitioner,

shall be exempt from section 24(1) of the Act (testing of sight).

Classes of Persons Training as Ophthalmic Opticians

4. The classes of persons prescribed for the purposes of these Rules are the following:—

(a) persons who are receiving instruction at an approved training institution with a view to obtaining an approved qualification;

(b) persons who are undertaking a period of practical experience in the work of an ophthalmic optician with a view to satisfying the Council as to the adequacy of their practical experience in such work, for the purposes of section 8 of the Act;

(c) persons who are completing an adaptation period within the meaning, and for the purposes, of Regulation 6 of the European Communities (Recognition of Professional Qualifications) Regulations 1991⁽³⁾ or who are receiving instruction at an approved training institution, with a view to taking an aptitude test within the meaning, and for the purposes, of that regulation;

(3) [S.I. 1991/824](#).

- (d) persons who are undergoing examination for an approved qualification;
- (e) persons who have qualified as ophthalmic opticians outside the United Kingdom and are receiving instruction at an approved training institution.

Revocation

5. The Rules on the Testing of Sight by Persons Training as Ophthalmic Opticians 1974 (scheduled to the General Optical Council (Rules on the Testing of Sight by Persons Training as Ophthalmic Opticians) Order of Council 1974(4)) are hereby revoked.

Sealed on the 24th June 1993

Attested by:—

D. J. Burt
Member of Council

G. D. Miller
Member of Council

R. D. Wilshin
Registrar

EXPLANATORY NOTE

(This note is not part of the Order)

The Rules approved by this Order revoke and replace the General Optical Council's Rules on the Testing of Sight by Persons Training as Ophthalmic Opticians 1974 ("the 1974 Rules").

They exempt certain classes of persons training as ophthalmic opticians from the provision in section 24(1) of the Opticians Act 1989 which prohibits the testing of sight of another person by a person who is not a registered medical practitioner or registered ophthalmic optician.

The main difference between the Rules approved by this Order and the 1974 Rules is that persons who have qualified as ophthalmic opticians outside the United Kingdom and are receiving instruction at an approved training institution are additionally exempted from section 24(1) of the Opticians Act 1989.

(4) [S.I. 1974/1329](#).