

## SCHEDULE

### THE GENERAL OPTICAL COUNCIL (FITNESS TO PRACTISE) RULES 2005

## PART 3

### ASSESSMENTS OF INDIVIDUAL REGISTRANTS

#### **Appointment of assessors and direction for assessment by the Investigation Committee**

7.—(1) Where the Investigation Committee are considering an allegation against an individual registrant, the Committee may—

- (a) appoint one or more persons to assess and report to them on—
  - (i) the registrant's health, or
  - (ii) the standard or quality of the work done or being done by the registrant; and
- (b) direct the registrant to meet with the person or persons appointed and to submit to any examination required for the purposes of their assessment and report.

(2) Where the Committee give a direction under paragraph (1)(b), they shall specify the matters on which the registrant is to be assessed.

#### **Appointment of assessors and direction for assessment by the Fitness to Practise Committee**

8.—(1) Where an allegation against an individual registrant has been referred to the Fitness to Practise Committee under section 13D(6)(b) (reference by registrar following direction from Investigation Committee)(**1**), the Committee may—

- (a) appoint one or more persons to assess and report to them on—
  - (i) the registrant's health, or
  - (ii) the standard or quality of the work done or being done by the registrant; and
- (b) direct the registrant to meet with the person or persons appointed and to submit to any examination required for the purposes of their assessment and report.

(2) When the Committee give a direction under paragraph (1)(b), they shall specify the matters on which the registrant is to be assessed.

#### **Assessment notification**

9. Where the Investigation Committee or the Fitness to Practise Committee have appointed an assessor under rule 7 or 8, the registrar shall—

- (a) serve on the registrant a notification of the appointment;
- (b) fix the date of the meeting with the assessor; and
- (c) serve on the registrant, and on the assessor, a notification of—
  - (i) the date of the meeting, and
  - (ii) the direction the Committee have given under rule 7(1)(b) or 8(1)(b).

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(1) Section 13D was inserted by S.I.2005/848.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**Date of meeting**

10. The meeting referred to in rule 9 shall take place no earlier than 28 days after the date upon which the notification required by paragraph (c) of that rule was served on the registrant.

**Assessment report**

11. Each assessor appointed under rule 7 or 8 shall, once he has completed his assessment, send a report of the assessment to—

- (a) the registrar; and
- (b) the registrant.

**Failure to submit to or co-operate with an assessment**

12. Where a registrant has failed to submit to, or to co-operate with, any examination required or directed to be carried out under rule 7 or 8, the Fitness to Practise Committee shall draw such inferences as seem appropriate to them in relation to him.