(*e*) Two members of the Council from among the four ophthalmologists nominated under paragraphs 1 (*e*) and 5 (*a*) of the said Schedule by the Faculty of Ophthalmologists.

5. The Council shall also appoint as members of the Committee two persons, not being members of the Council, who appear to them to represent respectively persons training student ophthalmic opticians and persons training student dispensing opticians.

6. The Minister of Education shall appoint, as a member of the Committee, one person, not being a member of the Council.

7. The first appointments to the Committee shall remain in force until the thirty-first day of January, 1961, and shall then expire, and subsequent appointments shall be for a period of one year expiring on the thirty-first day of January. Provided that where a member, other than those appointed under paragraphs 5 and 6 of these rules, ceases to be a member of the Council he shall cease to be a member of the Committee.

8. A member of the Committee may at any time, by notice in writing addressed to the Registrar of the Council, resign his office.

9. Where a casual vacancy occurs among the members of the Committee otherwise than in respect of a member appointed under paragraph 6 of these rules, it shall be filled by a person appointed by the Council as being a person having qualifications for membership similar to those of the member whose seat is vacant.

10. Where a casual vacancy occurs in respect of the member appointed under paragraph 6 of these rules, it shall be filled by a person appointed by the Minister of Education.

11. A person appointed to fill a casual vacancy shall hold office until the date upon which the member whose vacancy he has filled would have regularly retired.

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EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

The Opticians Act, 1958, section 17, requires the General Optical Council to set up a committee, to be known as the Education Committee, to whom they shall refer for advice on all matters relating to optical training and examinations. The rules approved by this Order provide for the constitution of this committee.

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**REGISTRATION**

**1959 No. 1432**

# The General Optical Council (Registration and Enrolment Rules) Order of Council, 1959

*Made* - - - - 12*th August,* 1959

At the Council Chamber, Whitehall, the 12th day of August, 1959

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

Whereas in pursuance of section seven of the Opticians Act, 1958(a), the General Optical Council have made rules entitled "The Registration and Enrolment Rules, 1959":

(a) 6 & 7 Eliz. 2. c. 32.

And whereas by subsection (5) of the said section 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 as set out in the Schedule to this Order.

This Order may be cited as the General Optical Council (Registration and Enrolment Rules) Order of Council, 1959.

*W. G. Agnew.*

## SCHEDULE

### The Registration and Enrolment Rules, 1959

The General Optical Council, in exercise of their powers under section 7 of the Opticians Act, 1958, hereby make the following rules:—

*Interpretation*

1. These rules may be cited as the Registration and Enrolment Rules, 1959.

2. In these rules, unless the context otherwise requires, the following expressions have the respective meanings hereby assigned to them:—

"the Act" means the Opticians Act, 1958;

"appropriate form" means an application form issued by the Council for the type of application in question and a requirement that an application shall be made on the appropriate form shall imply that the Council are entitled to require the completion of the form;

"the Council" means the General Optical Council established under the Act;

"dispensing optician", "enrolled", "enrolment", "list", "optical appliance", ophthalmic optician", "register" and "registered optician" have the meanings given them by subsection (1) of section 30 of the Act;

"financial year" means the financial year of the Council running from the first day of April to the thirty-first day of March;

"practice address" means an address at which the applicant provides ophthalmic services including testing sight as defined by subsection (2) of section 30 of the Act, or the fitting and supply of optical appliances, or both, except an address at which he provides such services only in the following circumstances:—

(*a*) when working as an employee of a registered medical practitioner or registered optician, or of an authority or person carrying on a hospital, clinic, nursing home or other institution providing medical or surgical treatment, or of a Minister of the Crown or Government department (including a department of the Government of Northern Ireland), or

(*b*) when working as director, secretary or employee of an enrolled body corporate, or

(*c*) in an emergency or in the place of a registered optician who is ill or on holiday;

"the Registrar" means the registrar of the Council.

3. The Interpretation Act, 1889, applies to the interpretation of these rules as it applies to an Act of Parliament.

*The Registers and Lists*

4. Each register shall contain the following particulars of each optician registered therein:—

(*a*) Full name.

(*b*) Permanent address with an indication whether or not he works there as an ophthalmic or dispensing optician.

(*c*) Practice addresses, if any, other than the permanent address.

(*d*) Qualifications held by the optician and recognised by the Council under subsection (2) or subsection (4) of section 3, or approved by the Council under section 5, of the Act, of which he has notified the Council.

(*e*) Other optical, academic, or professional qualifications which the optician requests shall be inserted in the register and which in the opinion of the Council are such that they can appropriately be inserted therein.

5. Each list shall contain the following particulars of each body corporate enrolled therein:—

(*a*) Name.

(*b*) Principal place of business.

(*c*) The addresses of all places at which the body corporate carries on business as ophthalmic or dispensing opticians and the name under which such business is carried on at each such place.

6. The Registrar shall have authority to refuse to enter a name in a register or list, and to refuse to transfer or restore a name to a register or list, until the fees prescribed by these rules for the entry, transfer or restoration have been paid.

*Applications for Registration or Enrolment*

7. An application to the Council for the inclusion of a name in the register or the name of a body corporate in the list shall be made on the appropriate form. The Council may require in a particular case such evidence in verification of the information given on the appropriate form as in their view is necessary to establish whether the applicant is entitled to be registered or the body corporate to be enrolled.

*Transfer from one Register or List to another*

8. An application for the transfer of the name of a registered optician from one register to another or for the transfer of the name of an enrolled body corporate from one list to the other shall be made on the appropriate form and the Council may require in a particular case such evidence in verification of the information given on the appropriate form as in their view is necessary to establish whether the applicant is entitled to be registered in the other register or the body corporate to be enrolled in the other list. Where the Council are satisfied that the applicant or body corporate is so entitled, they shall delete the name of the applicant from one register and insert it in the other or, as the case may be, shall delete the name of the body corporate from one list and insert it in the other.

*Retention of a Name in the Register or List and removal for non-payment of fee*

9. Not later than the fourteenth day of March in each year the Registrar shall send to the permanent address of every registered optician whose registration will expire on the thirty-first day of March in the same year the appropriate form of application for the retention of a name in the register, and to the principal place of business of every body corporate whose enrolment will expire at the latter date the appropriate form of application for retention of a name in the list together, in each case, with a notice of the fees payable and a warning that non-payment entails erasure from the register or list respectively, but failure by a registered optician or enrolled body corporate to receive a form or notice shall not constitute a ground for retention or restoration of a name.

10. Where the Registrar shall not have received by the thirty-first day of March of any year a retention fee or fee for retention of enrolment due on that date he shall send a warning that failure to pay the fee will result in the removal from the register or the list of the name in relation to which the fee was due, and if the fee is not received within fourteen days of the issue of the warning he shall remove the name from the register or list.

*Changes in particulars notified to the Council*

11. A registered optician shall notify the Council within one month of any of the following changes bearing on the particulars entered in the register:—

(i) Change of name.

(ii) Change or abandonment of any address entered in the register or addition of any further practice address to those entered in the register.

(iii) Loss of any qualification entered in the register.

12. An enrolled body corporate shall notify the Council within one month of any of the following changes bearing on the particulars entered in the list:—

(i) Change of name.

(ii) Change or abandonment of any address entered in the list.

(iii) Inception by the body corporate of business as ophthalmic or dispensing opticians at an address additional to those entered in the list, the notification to include the name under which business is carried on at the additional address.

13. An enrolled body corporate shall notify the Council forthwith if at any time any particulars supplied by it in or in support of its application for enrolment no longer apply in any respect which may materially affect the application to the body corporate of any of the conditions of enrolment set out in subsection (2) of section 4 of the Act.

*Alteration or removal of an entry in the Register or List*

14. When the Registrar receives information that an entry in the register or list has become incorrect, or application is made by or on behalf of a registered optician or an enrolled body corporate for an entry in the register or list to be altered, if he has satisfied himself by means of a statutory declaration or otherwise that the information is true or the ground of the application is sufficient, he shall make the required correction or alteration. No charge shall be made for a correction or alteration under this rule unless it involves the inclusion in the register or list of additional particulars in respect of which increased fees are chargeable under Rule 22 or Rule 27 of these rules, in which case the amount added by those rules to the registration and enrolment fees in respect of the insertion of additional particulars shall be chargeable.

15. The Registrar may remove from the register or list the name of any registered optician or enrolled body corporate upon receipt of a written application by or on behalf of the registered optician or enrolled body corporate stating the grounds on which the application is made and accompanied by a statutory declaration that the applicant is not aware of any reason for the institution of proceedings which might lead to the erasure of the name under section 11 or section 13 of the Act.

16. The Registrar shall erase from the register or the list the name of any registered optician or enrolled body corporate in respect of which he shall receive a direction to that effect from the Disciplinary Committee under section 11 or section 13 of the Act, on the date upon which such direction takes effect in accordance with section 14 of the Act.

*Restoration of a name to the Register or List*

17. Where a name has been removed from the register otherwise than by erasure under section 11 or section 13 of the Act the Council may restore it on receipt of an application on the appropriate form accompanied by:—

(i) the fee prescribed by Rule 25 of these rules and the fee due under Rule 24 for the period to which the application relates, and

(ii) where the name of the applicant has not been included in the register during any of the five years immediately preceding the date of application, evidence establishing to the satisfaction of the Council his identity and good character.

18. Where a name has been removed from the list otherwise than by erasure under section 11 or section 13 of the Act, the Council may restore it on receipt of an application on the appropriate form accompanied by:—

(i) the fee prescribed by Rule 31 of these rules and the fee due under Rule 30 for the period to which the application relates, and

(ii) evidence establishing to the satisfaction of the Council the continuance of entitlement to enrolment.

*Fees payable by Ophthalmic and Dispensing Opticians*

19. The fee for the entry of a name in the register and the retention of the name for the period specified in Rule 21 of these rules shall be called the registration fee. A further fee shall be charged for the retention of a name in the register for each financial year beyond the period covered by the registration fee and shall be called the retention fee.

20. The registration fee shall be paid at the time of the application for registration. The fee shall be £8 8s. 0d. except that it shall be £5 5s. 0d. only for a person who first applies for registration either within six months of the date when he first became entitled to receive a qualification recognised by the Council for the purpose of subsection (2) or subsection (4) of section 3 of the Act, or approved by the Council under section 5 of the Act, or within three years of that date and within six months of the date when he has completed practical experience required by the Council under section 3 of the Act.

21. In the case of an application received by the Council on or before the thirty-first day of March, 1961, the registration fee shall entitle a registered optician to the retention of his name in the register until that date. In the case of an application received subsequently, it shall entitle a registered optician to the retention of his name in the register until the end of the financial year next following that in which the application was received by the Council.

Provided that in the case of an application received by the Council on or after the first day of April, 1960, but before the first day of April, 1961, by an optician qualified under Rule 20 of these rules to pay only the fee of £5 5s. 0d. mentioned therein, the registration fee shall cover retention of the name in the register until the thirty-first day of March, 1962.

22. The registration fee shall cover the inclusion in the register of particulars inserted under paragraphs (*a*), (*b*) and (*d*) of Rule 4 of these rules, but shall be increased by £1 1s. 0d. for each address entered under paragraph (*c*) and for each qualification entered under paragraph (*e*) of that Rule.

23. The fee for transfer of a name from one register to another shall be £1 1s. 0d. and shall be paid at the time of the application for the transfer.

24. The retention fee shall be £3 3s. 0d. per annum, and shall be paid before the beginning of the financial year to which it relates. It shall cover the retention in the register of particulars under paragraphs (*a*), (*b*), (*d*) and (*e*) of Rule 4 of these rules but shall be increased by £1 1s. 0d. per annum for each address entered under paragraph (*c*) of that Rule.

25. The fee for restoration of a name to the register shall be £1 1s. 0d. and shall be additional to the retention fee for any year during which the name is included in the register.

*Fees payable by bodies corporate*

26. The fee for the entry of a name of a body corporate in the list and the retention of the name for the period specified in Rule 28 of these rules shall be called the enrolment fee. A further fee shall be charged for retention of such a name in the list for each financial year beyond the period covered by the enrolment fee and shall be called the fee for retention of enrolment.

27. The enrolment fee shall be paid at the time of the application for enrolment and shall be £2 2s. 0d. The fee shall cover the entry in the list of particulars inserted under paragraphs (*a*) and (*b*) of Rule 5 of these rules but shall be

increased by £1 1s. 0d. for each address inserted under paragraph (*c*) of that rule other than the address of the principal place of business.

28. In the case of an application received by the Council on or before the thirty-first day of March, 1961, the enrolment fee shall entitle an enrolled body corporate to the retention of its name in the list until that date. In the case of an application received subsequently it shall entitle an enrolled body corporate to the retention of its name in the list to the end of the financial year next following that in which the application was received by the Council.

29. The fee for transfer of the name of a body corporate from one list to the other shall be £1 1s. 0d. and shall be paid at the time of the application for the transfer.

30. The fee for retention of enrolment shall be £2 2s. 0d. per annum, and shall be paid before the beginning of the financial year to which it relates. It shall cover the retention in the list of the principal place of business and shall be increased by £1 1s. 0d. per annum, for each further address retained in the list.

31. The fee for restoration of a name to the list shall be £1 1s. 0d. and shall be additional to the fee for retention of enrolment for any year during which the name is included in the list.

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EXPLANATORY NOTE

*(This Note is not part of the Order, but is intended to indicate its general purport.)*

The Opticians Act, 1958, requires the General Optical Council to keep registers of ophthalmic and dispensing opticians and lists of bodies corporate carrying on business as such opticians. The rules approved by this Order include provisions as to the form of these registers and lists, the procedure for the entry, removal or restoration of names, and the various fees payable to the Council.

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# OVERSEAS SERVICE

## 1959 No. 1347

## The Governors' Pensions (Allocation) Rules, 1959

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| *Made* - - - - | 30*th July*, 1959 |
| *Laid before Parliament* | 5*th August*, 1959 |
| *Coming into Operation* | 7*th August*, 1959 |

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by section 14 of the Governors' Pensions Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following Rules :—

**1.** In such circumstances and subject to such conditions as are specified in these Rules,—

(*a*) a Governor shall be allowed to surrender, as from the date of his retirement, and

(*b*) a retired Governor under the age of seventy who has married since his retirement shall be allowed to surrender, as from the date of his marriage,

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(a) 5 & 6 Eliz. 2. c. 62.