



BILLE NA RADHARCMHEASTÓIRÍ (LEASÚ), 2002
OPTICIANS (AMENDMENT) BILL, 2002

EXPLANATORY AND FINANCIAL MEMORANDUM

Object of the Bill

The object of the Bill is to amend the Opticians Act, 1956, to deregulate the sale of “ready-readers”, to re-title ophthalmic opticians as optometrists, to ensure that the registration of optometrists and dispensing opticians is clearly in accordance with EU requirements, to update monetary penalties and to remove the absolute prohibition on treatment and prescription or administration of drugs by optometrists.

Deregulation of “Ready-Readers”

Section 2 of the Bill amends the definition of spectacles to exclude ready-made reading spectacles, afocal sunglasses and afocal goggles, and to clarify that contact lenses, with or without focal power, are included in the definition of spectacles. “Ready-made reading spectacles” are defined separately. The separation of ready-made spectacles from the definition of spectacles in the Act will have the effect of excluding them from the provisions of section 49, which regulate the sales of spectacles. The sale of ready-made reading spectacles will thereby be deregulated. By specifying “afocal” goggles in the exclusions from spectacles, it is intended that the sale of goggles with focal power will continue to be regulated.

Re-titling ophthalmic opticians as optometrists

Sections 3 and 4 of the Bill provide for ophthalmic opticians to be re-titled as optometrists.

Registration

Sections 7 to 10 of the Bill amend sections 24, 25, 33 and 34 of the 1956 Act to bring their provisions clearly into line with the terms of the EU Directives on Mutual Recognition of Professional Qualifications and to provide that being of good character and not having been declared bankrupt etc., should be a requirement for registration.

Monetary Penalties

Section 11 updates monetary penalties.

Removal of prohibition on treatment and prescription or administration of drugs by optometrists

By the deletion of subsections 48(1)(a) and (b) of the 1956 Act, the absolute prohibition on treatment and prescription or administration of drugs by optometrists is removed. Subsection 48(1)(c) is being inserted to provide that where an optometrist suspects the presence of a condition or a disease which requires medical attention,

he/she shall inform the patient of this and recommend that the patient consult with a registered medical practitioner.

Financial and Staffing Implications

There are no financial or staffing implications.

*An Roinn Sláinte agus Leanaí,
Nollaig, 2002.*