

THE CONTACT LENS (QUALIFICATIONS ETC.) RULES 1988

The General Optical Council, in exercise of their powers under section [25(3), 31(1)(e), 31(3) and 31A] of the Opticians Act [1989], hereby make the following rules:-

Citation, commencement and interpretation

1. These rules may be cited as the Contact Lens (Qualifications etc.) Rules 1988 and shall come into force on 1st September, 1988.
2. (1) In these Rules, unless otherwise specifically provided, any reference to a numbered Rule shall be to the Rule so numbered in these Rules.
(2) In these Rules, unless the context otherwise requires:-
 - “the Act” means the Opticians Act [1989];
 - “approved qualification” means a qualification specified in Appendix A to these Rules;
 - “certification” has the meaning assigned to it by Rule 5(1);
 - “the Council” means the General Optical Council established under the Act;
 - ...;
 - “provisional certification” has the meaning assigned to it by Rule 6(1);
 - “the Registrar” means the Registrar of the Council.

Qualifications required for fitting of contact lens by a registered optometrist or registered dispensing optician

3. Subject to the provisions of Rule 4, a registered optometrist or registered dispensing optician shall not fit a contact lens unless he holds:
 - (a) an approved qualification; or
 - (b) certification; or
 - (c) provisional certificationand the fitting of contact lenses is entered in the appropriate register against his name in accordance with rules made under section 10(1A) of the Act (particulars of registrants' specialities or proficiencies).
4. Rule 3 does not prevent a registered optometrist or registered dispensing optician who does not hold a qualification, certification or provisional certification fitting a contact lens if the fitting is carried out under the supervision of a person who does hold such a qualification, certification or provisional certification.

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Certification

5. (1) "Certification" shall mean the issue to a registered optometrist or registered dispensing optician who is entitled to apply for certification of a certificate by the Registrar stating that the registered optometrist or registered dispensing optician has satisfied the Council by the extent of his practical experience and competence in the fitting of contact lenses that he is qualified to fit contact lenses.
- (2) A registered optometrist or registered dispensing optician who does not hold an approved qualification shall be entitled to apply for certification if:
- (a) in the three years immediately preceding the date of his application he has fitted contact lenses to not less than 150 persons;
 - (b) his name was annotated in the Register as an optician having experience as a contact lens practitioner or fitter under arrangements operated by the Council prior to the 1st January, 1972; or
 - (c) he is currently engaged, and has been continuously so engaged for at least three years, in teaching contact lens practice to persons training as opticians in approved training institutions.
- (3) A registered optometrist or registered dispensing optician shall also be entitled to apply for certification if he does not have an approved qualification and has not, in the three years immediately preceding the date of his application, fitted contact lenses to not less than 150 persons, provided that he has acquired sufficient practical experience and competence to enable him to fit contact lenses.

Provisional certification

6. (1) "Provisional certification" shall mean the issue to a registered optometrist or registered dispensing optician who is entitled to apply for provisional certification of a provisional certificate by the Registrar stating that the registered optometrist or registered dispensing optician has satisfied the Council that the practical experience he is acquiring, or his progress in obtaining an approved qualification, is such that he is qualified to fit contact lenses for a period expiring not later than the 31st December, 1990.
- (2) A registered optometrist or registered dispensing optician shall be entitled to apply for provisional certification if he does not hold an approved qualification provided that either:-
- (a) he anticipates that, in a period of three years ending on the 31st December, 1990 he will have fitted contact lenses to not less than 150 persons and so, by that date, able to satisfy the Council as to his entitlement to apply for certification; or

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- (b) he is undertaking, or about to undertake, a course of study leading after examination to an approved qualification.
7. Provisional certification shall be valid only in respect of the applicant, and shall terminate on whichever shall first occur of the following dates:-
- (a) on certificate granted pursuant to a further application made under Rule 5;
 - (b) on the holder of a provisional certificate obtaining an approved qualification;
 - (c) on the provisional certificate being cancelled for any of the reasons specified in Rule 10; or
 - (d) the 31st December, 1990.

Procedure of applications under Rule 5 or 6

8. An application under Rule 5 or 6:
- (a) shall not be entertained by the Registrar unless it is delivered to his office not later than 30th September, 1989; and
 - (b) shall be substantially in the form set out in Appendix B to these Rules and shall in particular state the practical experience and competence on which the applicant relies to establish his eligibility for certification or provisional certification.

It shall be a condition of every application that the applicant undertakes on demand to adduce evidence to the Council of the facts stated in his application.

Effect of certification or provisional certification

9. Certification or provisional certification when granted to an applicant shall be evidence of his qualification to fit contact lenses in accordance with these Rules and shall continue to be valid only so long as he remains a registered optometrist or registered dispensing optician.

Cancellation of certification or provisional certification

10. (1) The Council may cancel any certification or provisional certification granted to a registered optometrist or registered dispensing optician -
- (a) in respect of an application which is subsequently shown to contain false or misleading statements;
 - (b) if his name is removed from the register or if he is suspended from the register under section 13F (powers of Fitness to Practise Committee), 13I (power to order immediate suspension etc.) or 13J (removal from a register on grounds of fraud or error) of the Act;
 - (c) if his entry relating to a specialty or proficiency is removed from the appropriate register under section 13F, 13I or 13J of the Act; or

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- (d) if he is the subject of an interim suspension order or interim conditional registration order under section 13L of the Act (interim orders).
- (2) Paragraph (1) is without prejudice to the right of a registered optometrist or registered dispensing optician to have his certification or provisional certification renewed on -
 - (a) having his name or entry relating to a specialty or proficiency restored pursuant to section 10 (general provisions as to registers) or 13K (restoration of names to a register) of the Act;
 - (b) termination of a period of suspension (unless followed by a further period of suspension or erasure); or
 - (c) termination of a period of temporary removal of an entry relating to a specialty or proficiency (unless followed by a further direction for removal whether or not for a specified period).

Appeal

- 11. In the event of an application for certification, made in accordance with Rule 5(2) or 5(3), being refused by the Registrar, the applicant shall have a right of appeal to the Council; provided that he gives notice to the Registrar of his intention to appeal within 28 days of his being informed that certification is being refused.

Fitting of contact lenses in the course of business, and use of titles, etc.

- 12. (1) A registered optometrist or registered dispensing optician whose practice is concerned with the fitting of contact lenses may only employ for the purpose of fitting contact lenses the services of persons who are either registered medical practitioners or have an entry for the fitting of contact lenses in the appropriate register in accordance with rules made under section 10(1A) of the Act.
- (2) A registered body corporate the business of which is concerned with the fitting of contact lenses shall ensure that the arrangements for carrying on its business are such as to secure that contact lenses are fitted by registered medical practitioners or who have an entry for the fitting of contact lenses in the appropriate register in accordance with rules made under section 10(1A) of the Act.
- 13. ...
- 14. ...

Provision of after-care

- 15. (1) A person is exempted from the duty to provide aftercare under section 27 of the Act (sale and supply of optical appliances) if he is not a person to whom paragraph (2) refers.
- (2) The person to whom this paragraph refers is -

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- (a) if only one person supplied a contact lens to the person, that person;
- (b) if more than one person supplied a contact lens to the person, the last person to [supply]¹ a lens.

Amendment of Rules

16. ...

¹ In section 15 (2)(b) the word 'supply' was substituted for the word 'fit' by SI 2005/1476

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APPENDIX A

Rule 2

APPROVED QUALIFICATIONS

<i>Qualifications</i>	<i>Short description appearing in Register</i>
A. Any qualification recognised as entitling the holder to be first registered as an ophthalmic optician after 31st December, 1960.	
B. Any of the following additional qualifications:	
The Fellowship of the British College of Optometrists including the Contact Lens Module	FBCO
The Diploma in Contact Lens Practice of the British Optical Association	DCLP
The Contact Lens Certification of the Scottish Association of Opticians	DCLP
The Supplementary Contact Lens Certification of the Worshipful Company of Spectacle Makers	CL Cert (SMC)
The Supplementary Contact Lens Diploma of the British Optical Association	CL Cert (BOA)
The Diploma in Contact Lens Practice of the British College of Optometrists	DCLP
The Contact Lens Diploma of the Association of Dispensing Opticians:	
For persons who are Fellows of the Association	FADO(Hons)CL
For other persons	CL (ADO)
The Contact Lens Diploma of the Association of British Dispensing Opticians:	
For persons who are Fellows of the Association	FBDO (Hons) CL
For other persons	CL (ABDO)
The Diploma in Contact Lens Fitting of the Faculty of of Dispensing Opticians	DCLF
Contact Lens Certificate of the Association of British Dispensing Opticians	FBDO(CL)
Contact Lens Practice (Supplementary) Qualification of the British College of Optometrists:	
For persons who are Members of the College	MBCO
For persons who are Fellows of the College	FBCO

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Rule 8

APPENDIX B

GENERAL OPTICAL COUNCIL

*Application for Certification
pursuant to the Contact Lens (Qualification etc.) Rules 1988*

1. Full Name of applicant _____
_____ Mr/Mrs/Miss/Ms*

2. Status of applicant (please tick appropriate box)

dispensing optician

ophthalmic optician

3. Registered number of applicant _____

4. Full address of applicant _____

Post Code _____

5. Principal address of applicant (if different from 4 above)

Post Code _____

6. Form of certification applied for (please tick appropriate box)

Certification

Provisional Certification

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In support on this application for provisional* certification I DO SOLEMNLY AND SINCERELY DECLARE as follows:

I practise at the address shown in section above as a principal*/self-employed optician*/an employee*/other - please specify* _____

_____ of (name of practice) _____

*delete as appropriate

(Applicants for full certification should leave in the relevant one of the following paragraphs and delete the other three, and the two succeeding paragraphs.)

- * I have in the period of three years immediately preceding the date of this application fitted contact lenses to not less than 150 persons; and I undertake if so required to produce evidence to prove this to the satisfaction of the General Optical Council.
- * I am currently engaged in teaching contact lens practice while in full-time instruction of persons training as opticians; and I have been so engaged for not less than three years.
- * My name was annotated in the Register as a contact lens practitioner or fitter prior to 1st January 1972.
- * I have acquired sufficient practical experience and competence in the fitting of contact lenses to entitle me to certification; and I submit herewith evidence of such practical experience and competence in support of this application.

(Applicants for provisional certification should delete the preceding four paragraphs and leave in the following two paragraphs.)

In making this application for provisional certification, I anticipate that by the 31st December, 1990 I shall have

either

- * fitted contact lenses to not less than 150 persons in the period of three years immediately preceding that date

or

- * obtained an approved qualification, as defined by the Contact Lens (Qualifications etc.) Rules 1988.

*delete as appropriate

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I understand that, under the 1988 Rules, if I am granted provisional certification, the validity of that provisional certification will terminate on the 31st December 1990 and that to retain a contact lens qualification I must apply further to the General Optical Council by that date and declare that I have fitted contact lenses to not less than 150 persons, or have obtained an approved qualification by that date and that, without the further experience or qualification indicated, I shall not be entitled to practise in contact lens work after that date.

DATED the _____ day of _____ 19 _____

(Signature) _____

DECLARED before me _____

at _____ in the County of _____

Justice of the Peace/Commissioner for Oaths/A Solicitor empowered to administer Oaths