

## OPTOMETRISTS.

9° Elizabeth II., No. LXXIX.

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No. 79 of 1960.

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AN ACT to amend the Optometrists Act, 1940-1957.

[Assented to 12th December, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation.

1. (1) This Act may be cited as the *Optometrists Act Amendment Act, 1960*.

Reprinted  
as approved  
for reprint  
13th Febru-  
ary, 1959.

(2) In this Act the Optometrists Act, 1940-1957, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Optometrists Act, 1940-1960.

S. 3  
amended.

2. Section three of the principal Act is amended—

(a) by substituting for the word, “and” in line four of paragraph (a) of the interpretation, “Optometry” the word, “or”;

- (b) by substituting for the passage, "vision." in line two of paragraph (b) of the interpretation, "Optometry" the passage, "vision; or";
- (c) by adding after paragraph (b) of the interpretation, "Optometry" the following paragraph—
  - (c) both such employment and such adaptation.

3. Section five of the principal Act is amended— S. 5  
amended.
- (a) by substituting for the word, "seven" in line one of subsection (2) the word, "eight";
  - (b) by substituting for the word, "three" in line two of subsection (3) the word, "two";
  - (c) by adding after paragraph (c) of subsection (3) the following paragraphs—
    - (d) one shall be a practising ophthalmologist nominated by the British Medical Association (Western Australian Branch). ;
    - (e) one, who shall not be a registered optometrist or registered medical practitioner, shall be nominated by the Minister to be chairman of the Board. ;
  - (d) by inserting after the passage, "paragraph (c)" in lines eight and nine of subsection (5) the passage, "or paragraph (d)."

4. Section eight of the principal Act is amended by deleting subsection (2).

5. Section fifteen of the principal Act is amended— S. 15  
amended.

- (a) by substituting for subsection (1) the following subsection:—

(1) Each member of the Board is entitled to remuneration for his services as member of the Board as prescribed from time to time by the rules, and in

addition thereto to reimbursement of travelling and other expenses incurred in carrying out his functions under this Act at the rate or rates prescribed from time to time by the rules. ;

(b) by repealing subsection (3).

S. 16  
amended.

6. Section sixteen of the principal Act is amended—

(a) by substituting for paragraph (c) of subsection (2) the following paragraph—

(c) the payment of the remuneration to which the members of the Board are entitled, and of the travelling and other expenses incurred by them in carrying out their functions under this Act;

(b) by substituting for the passage, “receipts and expenditure (including liabilities of the Board)” in lines four and five of subsection (4) the words, “income and expenditure of the Board.”

S. 17  
amended.

7. Section seventeen of the principal Act is amended by adding after paragraph (a) of subsection (1) the following paragraph—

(aa) for prescribing the remuneration to be paid to members of the Board for their services and the rate or rates of travelling and other expenses of which when incurred by those members in carrying out their functions under this Act they are entitled to reimbursement; .

S. 19  
amended.

8. Section nineteen of the principal Act is amended by substituting for the passage, “prescribed registration fee (which shall not exceed five pounds five shillings), and on payment of the prescribed certificate fee (which shall not exceed five shillings)” in lines three, four, five and six of subsection (3) the words, “registration fee and the certificate fee respectively prescribed by the rules.”

S. 32  
amended.

9. Section thirty-two of the principal Act is amended by deleting the words, “as an optometrist” in line three of subsection (1).

10. The principal Act is amended by inserting after section thirty-four B the following section:—

S. 34C  
added.

34C. (1) Any person who has for a period of not less than eighteen months immediately prior to the commencement of the Optometrists Act Amendment Act, 1960, been continuously, solely and *bona fide* engaged in the dispensing of prescriptions made or given by oculists or optometrists, may not later than the thirty-first day of March, one thousand nine hundred and sixty-one, apply in writing to the Board for permission to continue such dispensing, and the Board, upon payment of the prescribed fee and upon proof to its satisfaction that the applicant—

- (a) has attained the age of twenty-one years and is of good character; and
- (b) is a natural born or a naturalised British subject, and has resided continuously in the Commonwealth for not less than five years during which time he has resided in this State for at least two years; and
- (c) has in fact for the period aforesaid been continuously, solely and *bona fide* engaged in the dispensing of prescriptions made or given by oculists or optometrists,

shall grant to the applicant the permission applied for, but no such permission shall entitle, or be deemed to entitle, the applicant to measure the power of vision.

(2) The Board may prescribe an annual fee to be paid by persons granted permission pursuant to the provisions of this section.

11. Section thirty-six of the principal Act is amended—

S. 36  
amended.

- (a) by deleting the passage, “not exceeding six pounds six shillings,” in lines two and three of subsection (3);
- (b) by deleting the words, “or regulations” in line four of subsection (3).