



ORDINANCE No. 25 OF 1956  
OPTOMETRISTS ORDINANCE, 1956



I assent.

*P. M. Lumsden*

Governor.

5<sup>th</sup> July, 1956.

## BRITISH GUIANA.

### ARRANGEMENT OF SECTIONS.

#### Section

1. Short Title.
2. Interpretation.
3. Optometrists Register.
4. Appointment of additional member of the Board.
5. Qualifications for registration.
6. Application for registration.
7. Registration.
8. Appeal.
9. Publication of copy of Register.
10. Removal from the Register.
11. Board may restore name to Register.
12. Power of Board to make alterations in Register.
13. Offences.
14. Evidence of carrying on the practice of an optometrist.
15. Rules.
16. Exemption.
17. Repeal of Cap. 138.

AN ORDINANCE to consolidate and amend the law relating to the regulation of the practice of sight testing and for purposes connected therewith.

A.D. 1956

Enacted by the Legislature of British Guiana:—

Short title.

1. This Ordinance may be cited as the **Optometrists Ordinance, 1956**.

Interpretation.

2. In this Ordinance—

“medical practitioner” means a medical practitioner registered under the provisions of the Colonial Medical Service Ordinance;

“optometrist” means any person entitled under the provision of section 5 of this Ordinance to be registered as an optometrist;

“the Board” means the medical board established under the provisions of the Colonial Medical Service Ordinance;

“the secretary” means the secretary to the Board.

Cap. 134.

Cap. 134

Optometrists Register. Schedule.

3. (1) The secretary shall keep a register, (hereinafter referred to as “the Register”) in the form contained in the schedule to this Ordinance in which he shall enter the names and particulars required of all persons entitled to be registered as optometrists under the provisions of section 5 of this Ordinance.

(2) The secretary shall enter in the Register the names of all persons who were, at the commencement of this Ordinance, registered under the provisions of the Opticians Ordinance.

(3) The secretary shall enter in the Register the names and particulars required of all persons whom the Board shall direct to be registered.

Cap. 138

Appointment of additional member of the Board.

4. (1) The Governor shall appoint an optometrist duly registered under the provisions of this Ordinance to sit as an additional member of the Board when the Board is exercising any of its functions under the provisions of this Ordinance.

(2) Every such appointment shall be in writing and shall, subject to the provisions of subsection (3) of this section, be for a period of two years.

(3) Where any person, appointed as aforesaid, leaves the Colony or fails to attend three consecutive meetings of the Board in the exercise of its functions under the provisions of this Ordinance, he shall be deemed to have vacated his seat as an additional member of the Board.

(4) The Governor may appoint a fit and proper person duly qualified under the provisions of subsection (1) of this section for the unexpired term of office of any member appointed under the provisions of subsection (1) of this section who has died, resigned, has been deemed to have vacated his seat, or for any other reason has become unable to carry out his duties as a member of the Board for the purposes of this Ordinance.

5. (1) Any person who—

- (a) is the holder of a certificate or diploma which is recognised by the Board as furnishing a sufficient guarantee that the holder thereof is possessed of the requisite knowledge and skill for the efficient practice of sight-testing and dispensing optical prescriptions; and
- (b) satisfies the Board that he is of good moral character,

Qualifications for registration.

shall be entitled to apply to be registered under the provisions of this Ordinance.

(2) The Board shall, as soon as possible after the commencement of this Ordinance, and thereafter from time to time as the Board may think fit, publish in the Gazette a list of such certificates and diplomas recognised by the Board as affording a sufficient guarantee that the holder thereof is possessed of the requisite knowledge and skill for the efficient practice of sight-testing and the dispensing of optical prescriptions.

6. (1) Any person who desires to be registered under the provisions of this Ordinance shall make application in writing in that behalf to the secretary and shall submit such evidence as shall satisfy the Board that he is entitled to be registered under the provisions of this Ordinance. Every such applicant shall forward with his application a fee of five dollars which shall be returned if the application is rejected by the Board.

Application for registration.

(2) The secretary shall forthwith lay such application before the Board, and the Board shall, if satisfied that the applicant is entitled to be registered under the provisions of this Ordinance, direct the secretary to register the applicant.

(3) The Board may require any applicant to submit such further evidence as the Board may require for the purpose of ascertaining that he is a fit and proper person to be registered under the provisions of this Ordinance and may for the like purpose, require the applicant to be examined as hereinafter prescribed.

(4) Notwithstanding the provisions of subsection (1) of this section, the Board may require any applicant to appear before the Board and be examined by the Board for the purpose of ascertaining whether the applicant possesses the requisite knowledge and skill for the efficient practice of sight-testing and dispensing prescriptions.

7. Where the Board is satisfied that any applicant qualified to be registered under subsection (1) of section 5 of this Ordinance is possessed of the requisite knowledge and skill for the efficient practice of sight-testing and dispensing optical prescriptions and is of good moral character, the Board shall direct the secretary to register the applicant under the provisions of this Ordinance.

Registration.

8. Any person aggrieved by the refusal of the Board to register such person as an optometrist under the provisions of this Ordinance

Appeal.

nance may appeal to the Governor in Council, and the decision of the Governor in Council shall be final.

Publication  
of copy of  
Register.

9. (1) The secretary shall, in the month of February in each year, cause to be published in the Gazette a copy of the Register.

(2) The secretary shall also publish in the Gazette each subsequent registration or cancellation of registration.

(3) A copy of the Register for the time being published in the Gazette and of any subsequent notice published in the Gazette under the provisions of this section shall be *prima facie* evidence that the persons therein specified are registered under this Ordinance, and the absence of the name of any person therefrom shall be *prima facie* evidence that such person is not registered under this Ordinance:

Provided that in the case of a person whose name does not appear in such copy, a certified copy under the hand of the secretary of the entry of the name of such person in the Register shall be evidence that such person is registered under this Ordinance.

Removal  
from the  
Register.

10. Where any optometrist registered under this Ordinance has been convicted of any felony or misdemeanour, or after due enquiry by the Board, is found to have been guilty of infamous conduct in his practice as an optometrist, the Board may, with the approval of the Governor in Council, cause the name of such optometrist to be erased from the Register.

Board may  
restore  
name to  
Register.

11. The Board may, in its discretion, direct that any name erased from the Register be restored to the Register upon the payment of a fee of five dollars.

Power of  
Board to  
make altera-  
tions in  
Register.

12. (1) The secretary shall, on the instructions of the Board, insert in the Register any alteration in the name or address of any person registered which may come to his knowledge of any additional qualification approved and accepted by the Board.

(2) The secretary shall, on the instructions of the Board, erase from the Register —

- (a) the name of any person who has died;
- (b) any entry which has been incorrectly or fraudulently made;
- (c) the name of any person absent from the Colony for three consecutive years.

Offences.

13. (1) Any person who, not being registered under the provisions of this Ordinance—

- (a) carries on the business of an optometrist; or
- (b) tests the sight of any person; or
- (c) dispenses any optical prescription; or
- (d) fits, adjusts or renews any lens for use in spectacles; or
- (e) takes or uses the title of optometrist; or
- (f) takes or uses any name, title, addition or description implying that he is registered under this Ordinance or is specially qualified to practise sight-testing,

shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding two hundred and fifty dollars or to imprisonment for six months.

(2) Any person who knowingly makes, or causes or procures, or attempts to cause or procure or permits any false entry to be made in the Register or in any copy thereof or who fraudulently procures or attempts to procure the registration of himself or any other person under the provisions of this Ordinance shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding five hundred dollars or to imprisonment not exceeding twelve months.

(3) Any person who, whether registered under this Ordinance or not, not being a medical practitioner—

- (a) holds himself out as being qualified to practise medical or surgical treatment of the eye; or
- (b) without the supervision of a medical practitioner, administers otherwise than in accordance with the provision of a certificate issued by the Board under subsection (4) of this section any drug for the purpose of paralysing the accommodation of the eye or otherwise for facilitating the measurement of the powers of vision; or
- (c) treats any disease of the eye by the use of drugs; or
- (d) carries out or attempts to carry out any examination or treatment outside of the scope of practice of an optometrist,

shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding two hundred and fifty dollars or to imprisonment for six months.

(4) The Board may, if satisfied that any person registered under the provisions of section 5 of this Ordinance, possesses a sufficient degree of knowledge and skill for the efficient and safe administration of any drugs for any of the purposes specified in paragraph (b) of subsection (3) of this section, issue a certificate to such person authorising the use, by such person of such drugs as may be specified therein for any of the purposes set out in such certificate.

14. Where it is proved that any person has on any occasion used test lenses, spectacles or trial frames for the purpose of fitting any other person with spectacles, or has used an ophthalmoscope, retinoscope or other apparatus which may be used to measure refraction, visual acuity or muscular equilibrium or has used any drug for any of the purposes specified in paragraph (b) of subsection (3) of section 13 of this Ordinance, such person shall be deemed to be carrying on the business of an optometrist.

Evidence of carrying on the practice of an optometrist.

15. The Board may, with the approval of the Governor in Council, make rules for the better carrying out of their functions under the provisions of this Ordinance and for the guidance of optometrists in the general conduct of their practice.

Rules.



Exemption. 16. This Ordinance shall not apply to any medical practitioner  
 Cap. 134 registered under the provisions of the Colonial Medical Service  
 Ordinance.

Repeal of 17. The Opticians Ordinance is hereby repealed.  
 Cap. 138.

## SCHEDULE

Section 3.

## OPTOMETRISTS REGISTER.

Name	Address	Date of Qualification	Date of Registration

*Passed by the Legislative Council this twenty-second day of June,  
 nineteen hundred and fifty-six.*

*[Signature]*  
 Clerk of the Legislature.

(P.H. 72/3/11)  
 (Leg. Bill No. 18/1956.)