

AUSTRALIAN CAPITAL TERRITORY

No. 50 of 1981

AN ORDINANCE

To amend the *Optometrists Ordinance 1956*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this third day of December 1981.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL MACKELLAR
Minister of State for Health

OPTOMETRISTS (AMENDMENT) ORDINANCE 1981

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| Short title | 1. This Ordinance may be cited as the <i>Optometrists (Amendment) Ordinance 1981</i> .* |
| Commence-
ment | 2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for the Capital Territory by notice in the <i>Gazette</i> . |
| Principal
Ordinance | 3. In this Ordinance, "Principal Ordinance" means the <i>Optometrists Ordinance 1956</i> .† |
| Interpret-
ation | 4. Section 4 of the Principal Ordinance is amended by omitting from sub-section (1) the definitions of "the Election Ordinance" and "Territory". |
| The Opto-
metrists
Board | 5. Section 5 of the Principal Ordinance is amended by omitting sub-sections (2) and (3). |
| Constitution
of Board | 6. Section 6 of the Principal Ordinance is amended—
(a) by omitting sub-section (1) and substituting the following sub-section:
" (1) The Board shall consist of—
(a) a Chairman, and 1 other member, appointed in accordance with the <i>Health Professions Boards (Procedures) Ordinance 1981</i> ; and |

* Notified in the *Commonwealth of Australia Gazette* on 9 December 1981.

† Ordinance No. 4, 1956 as amended by No. 4, 1957; No. 14, 1958; No. 19, 1966; No. 19, 1967; No. 36, 1970; No. 19, 1971; No. 47, 1974; No. 17, 1975; No. 65, 1977; No. 46, 1978; No. 26, 1979; and No. 49, 1980.

(b) 1 member elected, as occasion requires, in accordance with the *Health Professions Boards (Elections) Ordinance 1980.*”; and

(b) by omitting sub-sections (3) and (4).

7. Sections 7, 7A, 8, 9, 10, 11, 12, 13 and 17 of the Principal Ordinance are repealed. Repeal

8. Section 18 of the Principal Ordinance is amended by omitting sub-section (2). Proof of registration

9. Section 23 of the Principal Ordinance is amended by omitting sub-section (2). Cancellation or suspension of registration for fraud and on other grounds

10. Section 24 of the Principal Ordinance is amended by omitting sub-sections (2), (3) and (4). Inquiry to be held

11. Section 26 of the Principal Ordinance is repealed and the following section substituted:

“ 26. (1) Application may be made to the Tribunal for a review of a decision of the Board— Appeal

(a) refusing to register, or to restore the registration of, a person;

(b) cancelling or suspending, otherwise than under sub-section 24 (5), the registration of a person;

(c) refusing to issue, or revoking, a permit under section 22; or

(d) refusing to permit an extension of the period under section 31.

“ (2) In this section, ‘ Tribunal ’ means the Administrative Appeals Tribunal established by the *Administrative Appeals Tribunal Act 1975.*”.

12. Sections 36, 37, 38, 39, 40, 41, 42 and 44 of the Principal Ordinance are repealed. Repeal

13. (1) The person who was, immediately before the commencement of this Ordinance, the Chairman of the Board continues to be the Chairman of the Board as if he had been appointed as the Chairman under the Principal Ordinance as amended by this Ordinance and holds office subject to the *Health Professions Boards (Procedures) Ordinance 1981.* Transitional

(2) The person who was, immediately before the commencement of this Ordinance, the Deputy Chairman of the Board continues to be the Deputy Chairman of the Board as if he had been elected as the Deputy Chairman under the *Health Professions Boards (Procedures) Ordinance 1981* and holds office subject to that Ordinance.

(3) A person who was, immediately before the commencement of this Ordinance, a member of the Board continues to be a member of the Board as if he had been appointed or elected as a member under the Principal Ordinance as amended by this Ordinance and holds office subject to the *Health Professions Boards (Procedures) Ordinance 1981*.

(4) An expression in this section that is defined in the Principal Ordinance as amended by this Ordinance has the same meaning for the purposes of this section as it has in the Principal Ordinance as so amended.