[Français](http://www.ontario.ca/fr/lois/loi/91o34)

Opticianry Act, 1991

S.O. 1991, CHAPTER 34

**Consolidation Period:** From June 3, 2021 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2021, c. 25, Sched. 25, s. 24](http://www.ontario.ca/laws/statute/S21025" \l "sched25s24).

Legislative History: 1998, c. 18, Sched. G, s. 39; [2007, c. 10, Sched. B, s. 16](http://www.ontario.ca/laws/statute/S07010" \l "schedbs16s1); [2021, c. 25, Sched. 25, s. 24](http://www.ontario.ca/laws/statute/S21025" \l "sched25s24).

Definitions

**1** In this Act,

“College” means the College of Opticians of Ontario; (“Ordre”)

“Health Professions Procedural Code” means the Health Professions Procedural Code set out in Schedule 2 to the Regulated Health Professions Act, 1991; (“Code des professions de la santé”)

“member” means a member of the College; (“membre”)

“optometrist or physician” means a member of the College of Optometrists of Ontario or the College of Physicians and Surgeons of Ontario or a legally qualified optometrist or physician from outside of Ontario; (“optométriste ou médecin”)

“profession” means the profession of opticianry; (“profession”)

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 1991, c. 34, s. 1.

Health Professions Procedural Code

**2** (1)  The Health Professions Procedural Code shall be deemed to be part of this Act.

Terms in Code

(2)  In the Health Professions Procedural Code as it applies in respect of this Act,

“College” means the College of Opticians of Ontario; (“ordre”)

“health profession Act” means this Act; (“loi sur une profession de la santé”)

“profession” means the profession of opticianry; (“profession”)

“regulations” means the regulations under this Act. (“règlements”)

Definitions in Code

(3)  Definitions in the Health Professions Procedural Code apply with necessary modifications to terms in this Act. 1991, c. 34, s. 2.

Scope of practice

**3** The practice of opticianry is the provision, fitting and adjustment of subnormal vision devices, contact lenses or eye glasses. 1991, c. 34, s. 3.

Authorized acts

**4** In the course of engaging in the practice of opticianry, a member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to dispense subnormal vision devices, contact lenses or eye glasses. 1991, c. 34, s. 4.

Additional requirements for authorized acts

**5** (1)  A member shall not dispense subnormal vision devices, contact lenses or eye glasses under the authority of section 4 except upon the prescription of an optometrist or physician.

Grounds for misconduct

(2)  In addition to the grounds set out in subsection 51 (1) of the Health Professions Procedural Code, a panel of the Discipline Committee shall find that a member has committed an act of professional misconduct if the member contravenes subsection (1). 1991, c. 34, s. 5.

Board continued as College

**6** The Board of Ophthalmic Dispensers is continued under the name College of Opticians of Ontario in English and Ordre des opticiens de l’Ontario in French. 1991, c. 34, s. 6.

Council

**7** (1)  The Council shall be composed of,

(a) at least seven and no more than 10 persons who are members elected in accordance with the by-laws;

(b) at least five and no more than eight persons appointed by the Lieutenant Governor in Council who are not,

(i) members,

(ii) members of a College as defined in the Regulated Health Professions Act, 1991, or

(iii) members of a Council as defined in the Regulated Health Professions Act, 1991. 1991, c. 34, s. 7 (1); 1998, c. 18, Sched. G, s. 39 (1).

Who can vote in elections

(2)  Subject to the by-laws, every member who practises or resides in Ontario and who is not in default of payment of the annual membership fee is entitled to vote in an election of members of the Council. 1991, c. 34, s. 7 (2); 1998, c. 18, Sched. G, s. 39 (2).

**Section Amendments with date in force (d/m/y)**

1998, c. 18, Sched. G, s. 39 (1, 2) - 1/02/1999

President and Vice-President

**8** The Council shall have a President and Vice-President who shall be elected annually by the Council from among the Council’s members. 1991, c. 34, s. 8.

Restricted titles

**9** (1)  No person other than a member shall use the title “optician”, a variation or abbreviation or an equivalent in another language.

Idem

(2)  No person shall use the title “ophthalmic dispenser” or “opticien d’ordonnance” or a variation or abbreviation of them.

Representations of qualification, etc.

(3)  No person other than a member shall hold himself or herself out as a person who is qualified to practise in Ontario as an optician or in a specialty of opticianry.

Exception

(4)  Despite subsection (2), a member may use the title “ophthalmic dispenser” or “opticien d’ordonnances” or a variation or an abbreviation of them for three years after this Act comes into force.

Definition

(5)  In this section,

“abbreviation” includes an abbreviation of a variation. 1991, c. 34, s. 9.

**10** Repealed: 2021, c. 25, Sched. 25, s. 24.

**Section Amendments with date in force (d/m/y)**

[2021, c. 25, Sched. 25, s. 24](http://www.ontario.ca/laws/statute/S21025" \l "sched25s24) - 03/06/2021

Offence

**11** Every person who contravenes subsection 9 (1), (2) or (3) is guilty of an offence and on conviction is liable to a fine of not more than $25,000 for a first offence and not more than $50,000 for a second or subsequent offence. 2007, c. 10, Sched. B, s. 16 (1).

**Section Amendments with date in force (d/m/y)**

[2007, c. 10, Sched. B, s. 16 (1)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs16s1) - 4/06/2007

Transition

**12** A person who, on the day before this Act comes into force, was registered under the Ophthalmic Dispensers Act shall be deemed to be the holder of a certificate of registration issued under this Act subject to any term, condition or limitation to which the registration was subject. 1991, c. 34, s. 12.

**13, 14** Repealed: 2007, c. 10, Sched. B, s. 16 (2).

**Section Amendments with date in force (d/m/y)**

[2007, c. 10, Sched. B, s. 16 (2)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs16s2) - 4/06/2007

**15** Omitted (provides for coming into force of provisions of this Act). 1991, c. 34, s. 15.

**16** Omitted (enacts short title of this Act). 1991, c. 34, s. 16.

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