[Français](http://www.ontario.ca/fr/lois/loi/91o35)

Optometry Act, 1991

S.O. 1991, CHAPTER 35

**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. 25](http://www.ontario.ca/laws/statute/S21025" \l "sched25s25).

Legislative History: 1998, c. 18, Sched. G, s. 40; [2007, c. 10, Sched. B, s. 17](http://www.ontario.ca/laws/statute/S07010" \l "schedbs17s1); [2009, c. 26, s. 20](http://www.ontario.ca/laws/statute/S09026" \l "s20s1); [2015, c. 20, Sched. 15, s. 18](http://www.ontario.ca/laws/statute/S15020" \l "sched15s18); [2021, c. 25, Sched. 25, s. 25](http://www.ontario.ca/laws/statute/S21025" \l "sched25s25).

Definitions

**1** In this Act,

“College” means the College of Optometrists 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”)

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

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 1991, c. 35, 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 Optometrists of Ontario; (“ordre”)

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

“profession” means the profession of optometry; (“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. 35, s. 2.

Scope of practice

**3** The practice of optometry is the assessment of the eye and vision system and the diagnosis, treatment and prevention of,

(a) disorders of refraction;

(b) sensory and oculomotor disorders and dysfunctions of the eye and vision system; and

(c) prescribed diseases. 1991, c. 35, s. 3.

Authorized acts

**4** In the course of engaging in the practice of optometry, a member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to perform the following:

1. Communicating a diagnosis identifying, as the cause of a person’s symptoms, a disorder of refraction, a sensory or oculomotor disorder of the eye or vision system or a prescribed disease.

2. Applying a prescribed form of energy.

2.1 Prescribing drugs designated in the regulations.

3. Prescribing or dispensing, for vision or eye problems, subnormal vision devices, contact lenses or eye glasses. 1991, c. 35, s. 4; 2007, c. 10, Sched. B, s. 17 (1).

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

[2007, c. 10, Sched. B, s. 17 (1)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs17s1) - 04/06/2007

College continued

**5** The College is continued under the name College of Optometrists of Ontario in English and Ordre des optométristes de l’Ontario in French. 1991, c. 35, s. 5.

Council

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

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

(b) at least seven 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; and

(c) one person selected, in accordance with a by-law made under section 12.1, from among members who are members of a faculty of optometry of a university in Ontario. 1991, c. 35, s. 6 (1); 1998, c. 18, Sched. G, s. 40 (1, 2).

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. 35, s. 6 (2); 1998, c. 18, Sched. G, s. 40 (3).

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

1998, c. 18, Sched. G, s. 40 (1-3) - 01/02/1999

President and Vice-President

**7** 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. 35, s. 7.

**8** Repealed: 2015, c. 20, Sched. 15, s. 18.

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

[2015, c. 20, Sched. 15, s. 18](http://www.ontario.ca/laws/statute/S15020" \l "sched15s18) - 29/10/2015

Restricted titles

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

Representations of qualification, etc.

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

Definition

(3)  In this section,

“abbreviation” includes an abbreviation of a variation. 1991, c. 35, s. 9.

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

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

[2021, c. 25, Sched. 25, s. 25](http://www.ontario.ca/laws/statute/S21025" \l "sched25s25) - 03/06/2021

Offence

**11** Every person who contravenes subsection 9 (1) or (2) 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. 17 (2).

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

[2007, c. 10, Sched. B, s. 17 (2)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs17s2) - 04/06/2007

Regulations

**12** (1)  Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations,

(a) specifying the drugs that a member may use in the course of engaging in the practice of optometry;

(b) designating drugs for the purposes of paragraph 2.1 of section 4;

(c) regulating and governing the prescribing or using of drugs by members and ancillary matters, including, without limiting the generality of the foregoing,

(i) governing the purposes for which, or the circumstances under which, drugs may be prescribed or used,

(ii) setting requirements respecting the prescribing or using of drugs, and

(iii) setting prohibitions. 2007, c. 10, Sched. B, s. 17 (3); 2009, c. 26, s. 20 (1).

Individual drugs or categories

(2)  A regulation made under clause (1) (a) or (b) may specify or designate individual drugs or categories of drugs. 2009, c. 26, s. 20 (2).

Incorporation by reference

(3)  A regulation made under clause (1) (a) or (b) may adopt, by reference, in whole or in part, and with such changes as are considered necessary, one or more documents setting out a list of individual drugs or a list of categories of drugs that may be prescribed by members. 2009, c. 26, s. 20 (2).

Rolling incorporation

(4)  If a regulation provided for in subsection (3) so provides, a document adopted by reference shall be a reference to it as amended from time to time after the making of the regulation. 2009, c. 26, s. 20 (2).

Must be made by expert committee

(5)  A document adopted by reference under subsection (3) may only be a document created or approved by an expert committee established under section 43.2 of theRegulated Health Professions Act, 1991and no other body. 2009, c. 26, s. 20 (2).

Availability

(6)  A document adopted by reference under subsection (3) must be named in the regulation and must be available for public inspection during normal business hours in the office of the College and must be posted on the College’s website or available through a hyperlink at the College’s website. 2009, c. 26, s. 20 (2).

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

1998, c. 18, Sched. G, s. 40 (4) - 01/02/1999

[2007, c. 10, Sched. B, s. 17 (3)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs17s3) - 04/06/2007

[2009, c. 26, s. 20 (1, 2)](http://www.ontario.ca/laws/statute/S09026" \l "s20s1) - 15/12/2009

By-laws

**12.1** The Council may make by-laws respecting the qualifications, selection and terms of office of Council members who are selected. 1998, c. 18, Sched. G, s. 40 (4).

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

1998, c. 18, Sched. G, s. 40 (4) - 01/02/1999

Transitional

**13** A person who, on the day before this Act comes into force, held a licence issued under Part V of the Health Disciplines 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 licence was subject. 1991, c. 35, s. 13.

**14** Repealed: 2007, c. 10, Sched. B, s. 17 (4).

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

[2007, c. 10, Sched. B, s. 17 (4)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs17s4) - 04/06/2007

**15** Repealed: 2007, c. 10, Sched. B, s. 17 (4).

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

[2007, c. 10, Sched. B, s. 17 (4)](http://www.ontario.ca/laws/statute/S07010" \l "schedbs17s4) - 04/06/2007

**16** Omitted (provides for coming into force of provisions of this Act). 1991, c. 35, s. 16.

**17** Omitted (enacts short title of this Act). 1991, c. 35, s. 17.

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