

## SCHEDULE 1

### Minor and consequential amendments

## PART 2

### Consequential amendments to primary legislation

#### **The National Health Service Act 1977**

**9.** In section 128(1) of the National Health Service Act 1977<sup>(1)</sup> (interpretation and construction), for the definition of “ophthalmic optician”, substitute—

““ophthalmic optician” means a person registered in the register of optometrists maintained under section 7 of the Opticians Act 1989 or a body corporate registered in the register of bodies corporate maintained under section 9 of that Act carrying on business as an optometrist.”.

#### **The National Health Service (Scotland) Act 1978**

**10.** In section 108(1) of the National Health Service (Scotland) Act 1978<sup>(2)</sup> (interpretation and construction), for the definition of “ophthalmic optician”, substitute—

““ophthalmic optician” means a person registered in the register of optometrists maintained under section 7 of the Opticians Act 1989 or a body corporate registered in the register of bodies corporate maintained under section 9 of that Act carrying on business as an optometrist.”.

#### **Health and Personal Social Services (Northern Ireland) Order 1972**

**11.** In Article 2(2) of the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(3)</sup> (interpretation), for the definition of ophthalmic optician, substitute—

““ophthalmic optician” means a person registered in the register of optometrists maintained under section 7 of the Opticians Act 1989 or a body corporate registered in the register of bodies corporate maintained under section 9 of that Act carrying on business as an optometrist.”.

#### **The Data Protection Act 1998**

**12.** In section 69(1) of the Data Protection Act 1998<sup>(4)</sup> (meaning of health professional), for paragraph (c), substitute—

“(c) a registered dispensing optician or a registered optometrist within the meaning of the Opticians Act 1989.”.

#### **The National Health Service Reform and Health Care Professions Act 2002**

**13.** In section 29(1) of the National Health Service Reform and Health Care Professions Act 2002<sup>(5)</sup> (reference of disciplinary cases by Council to court), for paragraph (f) substitute—

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(1) 1977 c. 49.  
(2) 1978 c. 29.  
(3) 1972/1265 (N.I. 14).  
(4) 1998 c. 29.  
(5) 2002 c. 17.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“(f) a direction by the Fitness to Practise Committee of the General Optical Council under section 13F(2) of the Opticians Act 1989 (powers of Fitness to Practise Committee), other than a direction that a registrant’s fitness to practise is impaired solely by virtue of a matter falling within section 13D(2)(f) of that Act;”.