

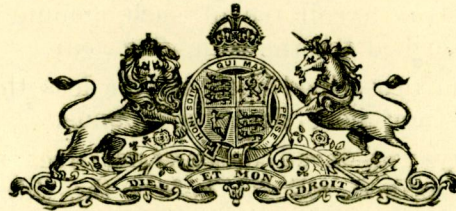
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 18 October, 1945.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

W. K. CHARLTON,
Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, 15th November, 1945.

New South Wales.



ANNO NONO

GEORGII VI REGIS.

Act No. , 1945.

An Act to amend the Opticians Act, 1930-1931,
and certain other Acts in certain respects;
and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. (1) This Act may be cited as the "Opticians
(Amendment) Act, 1945."

Short title,
citation and
commence-
ment.

(2) The Opticians Act, 1930, as amended by
subsequent Acts and by this Act, may be cited as the
10 Opticians Act, 1930-1945.

Opticians (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Opticians Act, 1930-1931, is amended—

Amendment
of Act No. 20,
1930.

- 5 (a) by inserting in section four in the definition of “Optometry” or the “practice of optometry” after the words “adaptation of” the words “lenses or prisms or”;
- 10 (b) by omitting subsection two of section thirteen and by inserting in lieu thereof the following subsections:—
- 15 (2) Every registered optometrist shall, in or before the month of October in each year, pay to the registrar a roll fee of such amount as may be prescribed for the following year.
- The fee so prescribed shall not be less than ten shillings nor more than two pounds.
- 20 (3) If any registered optometrist does not pay the prescribed roll fee before the thirty-first day of October in any year the board shall notify him by registered letter addressed to him at the address appearing in the register, that if the fee be not paid within one month after the posting of the letter, his name will be
- 25 removed from the register.
- If any registered optometrist who has been so notified fails to pay such fee within the time specified in the letter, the board shall remove his name from the register.
- 30 (4) If the name of any registered optometrist is removed from the register under this section, the board shall, upon application in the prescribed form, restore his name to the register upon payment of such fees as are prescribed by
- 35 the regulations made under this Act.
- The regulations may provide for the waiver of such part of the fees as the board may, in a particular case, deem proper.

(5)

Opticians (Amendment).

(5) Together with the roll fee the registered optometrist shall furnish particulars of his address for entry in the register.

5 (6) Where the name of any person has been removed from the register, and until the name has been restored thereto, such person shall be deemed not to be a registered optometrist.

10 (c) (i) by inserting in paragraph (b) of subsection five of section fifteen after the words "practice and supervision" the words "during the hours in which such premises are open for the practice of optometry." Sec. 15. (Removal from register.)

15 (e) ~~(i)~~ (ii) by omitting paragraph (c) of the same subsection ~~five of section fifteen~~ and by inserting in lieu thereof the following paragraphs:—

20 (c) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

(d) canvasses for optometrical business;

25 ~~(ii)~~ (iii) by inserting in the same subsection after the words "in a professional respect shall" the words "except where the same is lodged by the Director-General of Public Health or by an officer of the Public Service appointed by him for the purpose either generally or in any particular case."

30 (d) by omitting paragraph (d) of section nineteen; Sec. 19. (Qualifications for registration.)

(e) by omitting section twenty-one and by inserting in lieu thereof the following section:— Substituted sec. 21.

35 21. (1) The board shall issue to every person registered as an optometrist after the commencement of the Opticians (Amendment) Act, 1945, a certificate in the prescribed form **within three months of registration.** Certificates.

(2)

Opticians (Amendment).

5 (2) Every person who, immediately before the commencement of the Opticians (Amendment) Act, 1945, was the holder of a certificate issued under the section which this section replaces shall, within three months after such commencement, surrender such certificate to the board.

10 The board shall issue to each person who so surrenders his certificate a certificate in the prescribed form.

(f) by omitting section twenty-two;

Sec. 22.
(Consequen-
tial.)

(g) (i) by omitting paragraph (d1) of subsection one of section thirty and by inserting in lieu thereof the following paragraph:—

Sec. 30.
(Regula-
tions.)

15 (d1) regulating the employment of pupils in optometry or prohibiting the employment of such pupils otherwise than under the personal supervision of a registered optometrist;

20

(ii) by inserting next after paragraph (f) of the same subsection the following new paragraph:—

25 (f1) prescribing the manner in which and the extent to which an optometrist or a firm or company carrying on the business of the practice of optometry is authorised to advertise;

30 (h) by omitting section thirty-five and by inserting in lieu thereof the following new sections:—

Subs. sec. 35
and new secs.
36, 37 and 38.

35 35. (1) Except as provided in subsection two of this section, **or with the approval of the Minister in writing**, no firm or company shall carry on the business of the practice of optometry.

Firm or
company not
to carry on
business except
as provided by
this section.

(2)

Opticians (Amendment).

5 (2) Subsection one of this section shall not operate to prohibit a firm or company which was, immediately before the prescribed date, carrying on the business of the practice of optometry from continuing to carry on such business where the carrying on of the business is so continued:—

10 (a) at premises in which it was being carried on immediately before the prescribed date, or in lieu of those premises, at other premises which are distant not more than five miles from the premises in which such business was carried on immediately before the prescribed date;

15 (b) without any alteration in the name under which the business was being carried on immediately before the prescribed date;

20 (c) by or under the personal supervision and control of a registered optometrist whose name is prominently and legibly displayed upon the premises at which such business is carried on.

25 For the purpose of this subsection the “prescribed date” shall be the first day of September, one thousand nine hundred and forty-five.

30 Notwithstanding paragraph (b) of this subsection a firm or company may carry on the business of the practice of optometry under a name other than that under which the business was being carried on immediately before the prescribed date if the approval of the Minister in that behalf has been obtained.

35 (3) If any firm or company contravenes any provision of this section it shall be guilty of an offence against this Act and shall be liable to a penalty of not less than one hundred pounds and not exceeding two hundred pounds.

Opticians (Amendment).

36. Any firm or company carrying on the business of the practice of optometry pursuant to section thirty-five of this Act which— **Advertising, etc., by firm or company.**

5

(a) without the consent of the board takes or uses in connection with such business any title, designation, addition or description other than that of "optometrist" or "optometrists"; or

10

(b) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

15

(c) employs, engages or uses any person to canvass for optometrical business,

shall be liable on summary conviction to a penalty not exceeding fifty pounds.

20

37. Any optometrist, firm or company carrying on the business of the practice of optometry shall not in carrying on such business use or operate a mobile refracting unit except with the consent of the Minister. The Minister in granting such consent may impose such terms, conditions and restrictions as he may, in his absolute discretion, determine. Any optometrist, firm or company contravening the provisions of this section or any such terms, conditions and restrictions, shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred pounds:

Mobile refracting unit.

25

30

35

Provided, however, that any optometrist, firm or company carrying on the business of the practice of optometry which at the date of commencement of the Opticians (Amendment) Act, 1945, was using or operating a mobile refracting unit in carrying on such business may continue to use or operate such unit for a period not exceeding three months from the date of such commencement without the consent of the Minister.

Opticians (Amendment).

- 5 38. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall, in all courts and before all persons and bodies authorised by law to receive evidence, be prima facie evidence of the facts stated. Certificate of registrar to be prima facie evidence. cf. Act No. 10, 1934, s. 19.
- 10 (i) by omitting from the matter relating to Part V in section three the figures "35" and by inserting in lieu thereof the figures "38." Sec. 3. (Consequential.)
- 3.** The Opticians (Amendment) Act, 1931, is amended by omitting paragraph (d) of section two and section three. Amendment of Act No. 16, 1931. (Consequential.)

1870
The following is a list of the names of the persons who were present at the meeting of the Board of Directors of the Bank of the City of New York, held on the 10th day of January, 1870.

1. The President, Mr. J. D. Morgan.
2. The Vice-President, Mr. J. C. Schermerhorn.
3. The Cashier, Mr. J. B. Morgan.
4. The Secretary, Mr. J. C. Schermerhorn.
5. The Treasurer, Mr. J. B. Morgan.
6. The Auditor, Mr. J. C. Schermerhorn.
7. The Chairman of the Board, Mr. J. D. Morgan.
8. The Chairman of the Committee on Finance, Mr. J. C. Schermerhorn.
9. The Chairman of the Committee on Management, Mr. J. B. Morgan.
10. The Chairman of the Committee on General Affairs, Mr. J. C. Schermerhorn.

1870
The following is a list of the names of the persons who were present at the meeting of the Board of Directors of the Bank of the City of New York, held on the 10th day of January, 1870.

OPTICIANS (AMENDMENT) BILL.

*Schedule of Amendments referred to in Legislative Council's Message
of 15th November, 1945.*

No. 1.—Page 3, clause 2. *After line 7 insert—*

(c) (i) by inserting in paragraph (b) of subsection five of section fifteen after the words "practice and supervision" the words "during the hours in which such premises are open for the practice of optometry."

No. 2.—Page 3, clause 2, line 13. *After the word "of" insert the words "the same"*

No. 3.—Page 3, clause 2, line 14. *Omit the words "five of section fifteen"*

No. 4.—Page 3, clause 2, line 36. *After "form" insert the words "within three months of registration."*

No. 5.—Page 4, clause 2, line 33. *After "section," insert "or with the approval of the Minister in writing,"*

No. 6.—Page 5, clause 2. *After line 27, insert—*

Notwithstanding paragraph (b) of this subsection a firm or company may carry on the business of the practice of optometry under a name other than that under which the business was being carried on immediately before the prescribed date if the approval of the Minister in that behalf has been obtained.

OFFICE OF THE ATTORNEY GENERAL

STATE OF NEW YORK

IN SENATE,

January 10, 1911.

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

FOR THE YEAR 1910.

ALBANY:

J. B. LIPPINCOTT COMPANY, PRINTERS.

1911.

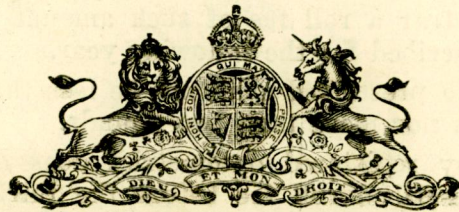
This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. R. McCOURT,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 18 October, 1945.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Clerk of the Parliaments.
Legislative Council Chamber,
Sydney, November, 1945.

New South Wales.



ANNO NONO

GEORGII VI REGIS.

Act No. , 1945.

An Act to amend the Opticians Act, 1930-1931,
and certain other Acts in certain respects;
and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. (1) This Act may be cited as the "Opticians
(Amendment) Act, 1945."

Short title,
citation and
commence-
ment.

(2) The Opticians Act, 1930, as amended by
subsequent Acts and by this Act, may be cited as the
10 Opticians Act, 1930-1945.

86505

8—

(3)

NOTE.—The words to be *omitted* are ruled through; those to be *inserted* are
printed in **black letter**.

Opticians (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Opticians Act, 1930-1931, is amended—

Amendment
of Act No. 29,
1930.

5 (a) by inserting in section four in the definition of "Optometry" or the "practice of optometry" after the words "adaptation of" the words "lenses or prisms or";

Sec. 4.
(Defini-
tions.)

10 (b) by omitting subsection two of section thirteen and by inserting in lieu thereof the following subsections:—

Sec. 13.
(Register.)

15 (2) Every registered optometrist shall, in or before the month of October in each year, pay to the registrar a roll fee of such amount as may be prescribed for the following year.

The fee so prescribed shall not be less than ten shillings nor more than two pounds.

20 (3) If any registered optometrist does not pay the prescribed roll fee before the thirty-first day of October in any year the board shall notify him by registered letter addressed to him at the address appearing in the register, that if the fee be not paid within one month after the posting of the letter, his name will be removed from the register.

25 If any registered optometrist who has been so notified fails to pay such fee within the time specified in the letter, the board shall remove his name from the register.

30 (4) If the name of any registered optometrist is removed from the register under this section, the board shall, upon application in the prescribed form, restore his name to the register upon payment of such fees as are prescribed by the regulations made under this Act.

35 The regulations may provide for the waiver of such part of the fees as the board may, in a particular case, deem proper.

(5)

Opticians (Amendment).

(5) Together with the roll fee the registered optometrist shall furnish particulars of his address for entry in the register.

5 (6) Where the name of any person has been removed from the register, and until the name has been restored thereto, such person shall be deemed not to be a registered optometrist.

10 (c) (i) by inserting in paragraph (b) of subsection five of section fifteen after the words "practice and supervision" the words "during the hours in which such premises are open for the practice of optometry." Sec. 15. (Removal from register.)

15 (c) ~~(i)~~ (ii) by omitting paragraph (c) of the same subsection ~~five of section fifteen~~ and by inserting in lieu thereof the following paragraphs:—

20 (c) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

(d) canvasses for optometrical business;

25 ~~(ii)~~ (iii) by inserting in the same subsection after the words "in a professional respect shall" the words "except where the same is lodged by the Director-General of Public Health or by an officer of the Public Service appointed by him for the purpose either generally or in any particular case."

30 (d) by omitting paragraph (d) of section nineteen; Sec. 19. (Qualifications for registration.)

(e) by omitting section twenty-one and by inserting in lieu thereof the following section:— Substituted sec. 21.

35 21. (1) The board shall issue to every person registered as an optometrist after the commencement of the Opticians (Amendment) Act, 1945, a certificate in the prescribed form **within three months of registration.** Certificates.

Opticians (Amendment).

5 (2) Every person who, immediately before the commencement of the Opticians (Amendment) Act, 1945, was the holder of a certificate issued under the section which this section replaces shall, within three months after such commencement, surrender such certificate to the board.

10 The board shall issue to each person who so surrenders his certificate a certificate in the prescribed form.

(f) by omitting section twenty-two;

Sec. 22.
(Consequen-
tial.)

(g) (i) by omitting paragraph (d1) of subsection one of section thirty and by inserting in lieu thereof the following paragraph:—

Sec. 30.
(Regula-
tions.)

15 (d1) regulating the employment of pupils in optometry or prohibiting the employment of such pupils otherwise than under the personal supervision of a registered optometrist;

(ii) by inserting next after paragraph (f) of the same subsection the following new paragraph:—

25 (f1) prescribing the manner in which and the extent to which an optometrist or a firm or company carrying on the business of the practice of optometry is authorised to advertise;

30 (h) by omitting section thirty-five and by inserting in lieu thereof the following new sections:—

Subs. sec. 35
and new secs.
36, 37 and 38.

35 35. (1) Except as provided in subsection two of this section, or with the approval of the Minister in writing, no firm or company shall carry on the business of the practice of optometry.

Firm or
company not
to carry on
business except
as provided by
this section.

Opticians (Amendment).

5 (2) Subsection one of this section shall not operate to prohibit a firm or company which was, immediately before the prescribed date, carrying on the business of the practice of optometry from continuing to carry on such business where the carrying on of the business is so continued:—

10 (a) at premises in which it was being carried on immediately before the prescribed date, or in lieu of those premises, at other premises which are distant not more than five miles from the premises in which such business was carried on immediately before the prescribed date;

15 (b) without any alteration in the name under which the business was being carried on immediately before the prescribed date;

20 (c) by or under the personal supervision and control of a registered optometrist whose name is prominently and legibly displayed upon the premises at which such business is carried on.

25 For the purpose of this subsection the “prescribed date” shall be the first day of September, one thousand nine hundred and forty-five.

30 **Notwithstanding paragraph (b) of this subsection a firm or company may carry on the business of the practice of optometry under a name other than that under which the business was being carried on immediately before the prescribed date if the approval of the Minister in that behalf has been obtained.**

35 (3) If any firm or company contravenes any provision of this section it shall be guilty of an offence against this Act and shall be liable to a penalty of not less than one hundred pounds and not exceeding two hundred pounds.

Opticians (Amendment).

36. Any firm or company carrying on the business of the practice of optometry pursuant to section thirty-five of this Act which—

Advertising,
etc., by firm
or company.

5

(a) without the consent of the board takes or uses in connection with such business any title, designation, addition or description other than that of "optometrist" or "optometrists"; or

10

(b) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

15

(c) employs, engages or uses any person to canvass for optometrical business,

shall be liable on summary conviction to a penalty not exceeding fifty pounds.

20

37. Any optometrist, firm or company carrying on the business of the practice of optometry shall not in carrying on such business use or operate a mobile refracting unit except with the consent of the Minister. The Minister in granting such consent may impose such terms, conditions and restrictions as he may, in his absolute discretion, determine. Any optometrist, firm or company contravening the provisions of this section or any such terms, conditions and restrictions, shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred pounds:

Mobile
refracting
unit.

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Provided, however, that any optometrist, firm or company carrying on the business of the practice of optometry which at the date of commencement of the Opticians (Amendment) Act, 1945, was using or operating a mobile refracting unit in carrying on such business may continue to use or operate such unit for a period not exceeding three months from the date of such commencement without the consent of the Minister.

Opticians (Amendment).

- 5 38. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall, in all courts and before all persons and bodies authorised by law to receive evidence, be prima facie evidence of the facts stated. Certificate of registrar to be prima facie evidence. cf. Act No. 10, 1934, s. 19.
- 10 (i) by omitting from the matter relating to Part V in section three the figures "35" and by inserting in lieu thereof the figures "38." Sec. 3. (Consequential.)
- 3.** The Opticians (Amendment) Act, 1931, is amended by omitting paragraph (d) of section two and section three. Amendment of Act No. 16, 1931. (Consequential.)

The Board of Directors of the
New York State Board of Regents
has the honor to acknowledge the receipt of your letter of the
10th day of June, 1917.

Very truly yours,
The Board of Regents

Secretary

The Board of Regents of the State of New York
has the honor to acknowledge the receipt of your letter of the
10th day of June, 1917, in relation to the proposed
amendment to the Constitution of the State of New York
relating to the election of the Governor and the
Lieutenant Governor. The Board of Regents has
the honor to advise you that the same has been
referred to the appropriate committee for their
consideration and report.

Very truly yours,
The Board of Regents

1917

No. , 1945.

A BILL

To amend the Opticians Act, 1930-1931,
and certain other Acts in certain respects;
and for purposes connected therewith.

[MR. KELLY;—27 September, 1945.]

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. (1) This Act may be cited as the "Opticians
(Amendment) Act, 1945."

Short title,
citation and
commence-
ment.

(2) The Opticians Act, 1930, as amended by
subsequent Acts and by this Act, may be cited as the
10 Opticians Act, 1930-1945.

Opticians (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Opticians Act, 1930-1931, is amended—

Amendment
of Act No. 20,
1930.

- 5 (a) by inserting in section four in the definition of
"Optometry" or the "practice of optometry"
after the words "adaptation of" the words
"lenses or prisms or"; Sec. 4.
(Defini-
tions.)
- 10 (b) by omitting subsection two of section thirteen Sec. 13.
and by inserting in lieu thereof the following (Register.)
subsections:—
- (2) Every registered optometrist shall, in or
before the month of October in each year, pay
to the registrar a roll fee of such amount as
15 may be prescribed for the following year.
- The fee so prescribed shall not be less than
ten shillings nor more than two pounds.
- (3) If any registered optometrist does not
20 pay the prescribed roll fee before the thirty-
first day of October in any year the board shall
notify him by registered letter addressed to
him at the address appearing in the register,
that if the fee be not paid within one month
after the posting of the letter, his name will be
25 removed from the register.
- If any registered optometrist who has been so
notified fails to pay such fee within the time
specified in the letter, the board shall remove
his name from the register.
- 30 (4) If the name of any registered optometrist
is removed from the register under this section,
the board shall, upon application in the pre-
scribed form, restore his name to the register
upon payment of such fees as are prescribed by
35 the regulations made under this Act.

The regulations may provide for the waiver
of such part of the fees as the board may, in a
particular case, deem proper.

(5)

Opticians (Amendment).

(5) Together with the roll fee the registered optometrist shall furnish particulars of his address for entry in the register.

5 (6) Where the name of any person has been removed from the register, and until the name has been restored thereto, such person shall be deemed not to be a registered optometrist.

10 (c) (i) by omitting paragraph (c) of subsection five of section fifteen and by inserting in lieu thereof the following paragraphs:— Sec. 15. (Removal from register.)

(c) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

15 (d) canvasses for optometrical business;

20 (ii) by inserting in the same subsection after the words "in a professional respect shall" the words "except where the same is lodged by the Director-General of Public Health or by an officer of the Public Service appointed by him for the purpose either generally or in any particular case."

(d) by omitting paragraph (d) of section nineteen; Sec. 19. (Qualifications for registration.)

25 (e) by omitting section twenty-one and by inserting in lieu thereof the following section:— Substituted sec. 21. Certificates.

30 21. (1) The board shall issue to every person registered as an optometrist after the commencement of the Opticians (Amendment) Act, 1945, a certificate in the prescribed form.

35 (2) Every person who, immediately before the commencement of the Opticians (Amendment) Act, 1945, was the holder of a certificate issued under the section which this section replaces shall, within three months after such commencement, surrender such certificate to the board.

The

Opticians (Amendment).

The board shall issue to each person who so surrenders his certificate a certificate in the prescribed form.

(f) by omitting section twenty-two;

Sec. 22.
(Consequen-
tial.)

5 (g) (i) by omitting paragraph (d1) of subsection one of section thirty and by inserting in lieu thereof the following paragraph:—

Sec. 30.
(Regula-
tions.)

10 (d1) regulating the employment of pupils in optometry or prohibiting the employment of such pupils otherwise than under the personal supervision of a registered optometrist;

15 (ii) by inserting next after paragraph (f) of the same subsection the following new paragraph:—

20 (f1) prescribing the manner in which and the extent to which an optometrist or a firm or company carrying on the business of the practice of optometry is authorised to advertise;

(h) by omitting section thirty-five and by inserting in lieu thereof the following new sections:—

Subs. sec. 35
and new secs.
36, 37 and 38.

25 35. (1) Except as provided in subsection two of this section, no firm or company shall carry on the business of the practice of optometry.

Firm or
company not
to carry on
business except
as provided by
this section.

30 (2) Subsection one of this section shall not operate to prohibit a firm or company which was, immediately before the prescribed date, carrying on the business of the practice of optometry from continuing to carry on such business where the carrying on of the business is so continued:—

35 (a) at premises in which it was being carried on immediately before the prescribed date, or in lieu of those premises,

Opticians (Amendment).

premises, at other premises which are distant not more than five miles from the premises in which such business was carried on immediately before the prescribed date;

(b) without any alteration in the name under which the business was being carried on immediately before the prescribed date;

(c) by or under the personal supervision and control of a registered optometrist whose name is prominently and legibly displayed upon the premises at which such business is carried on.

For the purpose of this subsection the "prescribed date" shall be the first day of September, one thousand nine hundred and forty-five.

(3) If any firm or company contravenes any provision of this section it shall be guilty of an offence against this Act and shall be liable to a penalty of not less than one hundred pounds and not exceeding two hundred pounds.

36. Any firm or company carrying on the business of the practice of optometry pursuant to section thirty-five of this Act which—

(a) without the consent of the board takes or uses in connection with such business any title, designation, addition or description other than that of "optometrist" or "optometrists"; or

(b) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

(c) employs, engages or uses any person to canvass for optometrical business,

shall be liable on summary conviction to a penalty not exceeding fifty pounds.

37. Any optometrist, firm or company carrying on the business of the practice of optometry shall not in carrying on such business use or operate

Advertising,
etc., by firm
or company.

Mobile
refracting
unit.

Opticians (Amendment).

operate a mobile refracting unit except with the consent of the Minister. The Minister in granting such consent may impose such terms, conditions and restrictions as he may, in his absolute discretion, determine. Any optometrist, firm or company contravening the provisions of this section or any such terms, conditions and restrictions, shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred pounds:

Provided, however, that any optometrist, firm or company carrying on the business of the practice of optometry which at the date of commencement of the Opticians (Amendment) Act, 1945, was using or operating a mobile refracting unit in carrying on such business may continue to use or operate such unit for a period not exceeding three months from the date of such commencement without the consent of the Minister.

38. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall, in all courts and before all persons and bodies authorised by law to receive evidence, be prima facie evidence of the facts stated.

Certificate of registrar to be prima facie evidence. cf. Act No. 10, 1934, s. 19.

(i) by omitting from the matter relating to Part V in section three the figures "35" and by inserting in lieu thereof the figures "38."

Sec. 3. (Consequential.)

3. The Opticians (Amendment) Act, 1931, is amended by omitting paragraph (d) of section two and section three.

Amendment of Act No. 16, 1931. (Consequential.)

Opticians (Amendment) Bill.

EXPLANATORY NOTE.

THIS Bill is designed—

- (1) To clarify the definition of “optometry” or the “practice of optometry.”
- (2) To provide for an original certificate and thereafter an annual roll fee instead of the issue of annual certificates to optometrists.
- (3) To extend the regulation making power.
- (4) To put firms or companies on the same basis as individual optometrists with regard to advertising, and to restrict the practice of optometry by firms or companies.
- (5) To prohibit the use of mobile refracting rooms except with the consent of the Minister.
- (6) To make certain other amendments of a machinery character.

Всего в 1913 году в России было
выпущено 100 миллионов рублей
денежных знаков. Из них 50 миллионов
было в обращении в начале года,
а к концу года осталось только 30 миллионов.
Это показывает, что в течение года
было выведено из обращения 70 миллионов
рублей. Это выведение произошло
вследствие того, что в течение года
было выдано в кредит 70 миллионов
рублей. Таким образом, в течение года
было выдано в кредит столько же,
сколько было выведено из обращения.
Это показывает, что в течение года
было выдано в кредит столько же,
сколько было выведено из обращения.

ВЫПУСКАЮЩАЯ КОМПАНИЯ

Общество с ограниченной ответственностью

No. , 1945.

A BILL

To amend the Opticians Act, 1930-1931,
and certain other Acts in certain respects;
and for purposes connected therewith.

[MR. KELLY;—27 September, 1945.]

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. (1) This Act may be cited as the "Opticians
(Amendment) Act, 1945."

Short title,
citation and
commence-
ment.

(2) The Opticians Act, 1930, as amended by
subsequent Acts and by this Act, may be cited as the
10 Opticians Act, 1930-1945.

Opticians (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. The Opticians Act, 1930-1931, is amended—

Amendment
of Act No. 20,
1930.

5 (a) by inserting in section four in the definition of
"Optometry" or the "practice of optometry"
after the words "adaptation of" the words
"lenses or prisms or";

Sec. 4.
(Defini-
tions.)

10 (b) by omitting subsection two of section thirteen
and by inserting in lieu thereof the following
subsections:—

Sec. 13.
(Register.)

15 (2) Every registered optometrist shall, in or
before the month of October in each year, pay
to the registrar a roll fee of such amount as
may be prescribed for the following year.

The fee so prescribed shall not be less than
ten shillings nor more than two pounds.

20 (3) If any registered optometrist does not
pay the prescribed roll fee before the thirty-
first day of October in any year the board shall
notify him by registered letter addressed to
him at the address appearing in the register,
that if the fee be not paid within one month
after the posting of the letter, his name will be
removed from the register.

25 If any registered optometrist who has been so
notified fails to pay such fee within the time
specified in the letter, the board shall remove
his name from the register.

30 (4) If the name of any registered optometrist
is removed from the register under this section,
the board shall, upon application in the pre-
scribed form, restore his name to the register
upon payment of such fees as are prescribed by
the regulations made under this Act.

35 The regulations may provide for the waiver
of such part of the fees as the board may, in a
particular case, deem proper.

(5)

Opticians (Amendment).

(5) Together with the roll fee the registered optometrist shall furnish particulars of his address for entry in the register.

5 (6) Where the name of any person has been removed from the register, and until the name has been restored thereto, such person shall be deemed not to be a registered optometrist.

10 (c) (i) by omitting paragraph (c) of subsection five of section fifteen and by inserting in lieu thereof the following paragraphs:— Sec. 15. (Removal from register.)

(c) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

15 (d) canvasses for optometrical business;

20 (ii) by inserting in the same subsection after the words "in a professional respect shall" the words "except where the same is lodged by the Director-General of Public Health or by an officer of the Public Service appointed by him for the purpose either generally or in any particular case."

(d) by omitting paragraph (d) of section nineteen; Sec. 19. (Qualifications for registration.)

25 (e) by omitting section twenty-one and by inserting in lieu thereof the following section:— Substituted sec. 21.

30 21. (1) The board shall issue to every person registered as an optometrist after the commencement of the Opticians (Amendment) Act, 1945, a certificate in the prescribed form. Certificates.

35 (2) Every person who, immediately before the commencement of the Opticians (Amendment) Act, 1945, was the holder of a certificate issued under the section which this section replaces shall, within three months after such commencement, surrender such certificate to the board.

The

Opticians (Amendment).

The board shall issue to each person who so surrenders his certificate a certificate in the prescribed form.

(f) by omitting section twenty-two;

Sec. 22.
(Consequen-
tial.)

5 (g) (i) by omitting paragraph (d1) of subsection one of section thirty and by inserting in lieu thereof the following paragraph:—

Sec. 30.
(Regula-
tions.)

10 (d1) regulating the employment of pupils in optometry or prohibiting the employment of such pupils otherwise than under the personal supervision of a registered optometrist;

15 (ii) by inserting next after paragraph (f) of the same subsection the following new paragraph:—

20 (f1) prescribing the manner in which and the extent to which an optometrist or a firm or company carrying on the business of the practice of optometry is authorised to advertise;

(h) by omitting section thirty-five and by inserting in lieu thereof the following new sections:—

Subs. sec. 35
and new secs.
36, 37 and 38.

25 35. (1) Except as provided in subsection two of this section, no firm or company shall carry on the business of the practice of optometry.

Firm or
company not
to carry on
business except
as provided by
this section.

30 (2) Subsection one of this section shall not operate to prohibit a firm or company which was, immediately before the prescribed date, carrying on the business of the practice of optometry from continuing to carry on such business where the carrying on of the business is so continued:—

35 (a) at premises in which it was being carried on immediately before the prescribed date, or in lieu of those premises,

Opticians (Amendment).

premises, at other premises which are distant not more than five miles from the premises in which such business was carried on immediately before the prescribed date;

5

(b) without any alteration in the name under which the business was being carried on immediately before the prescribed date;

10

(c) by or under the personal supervision and control of a registered optometrist whose name is prominently and legibly displayed upon the premises at which such business is carried on.

15

For the purpose of this subsection the "prescribed date" shall be the first day of September, one thousand nine hundred and forty-five.

20

(3) If any firm or company contravenes any provision of this section it shall be guilty of an offence against this Act and shall be liable to a penalty of not less than one hundred pounds and not exceeding two hundred pounds.

25

36. Any firm or company carrying on the business of the practice of optometry pursuant to section thirty-five of this Act which—

Advertising,
etc., by firm
or company.

30

(a) without the consent of the board takes or uses in connection with such business any title, designation, addition or description other than that of "optometrist" or "optometrists"; or

35

(b) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or
(c) employs, engages or uses any person to canvass for optometrical business,

shall be liable on summary conviction to a penalty not exceeding fifty pounds.

40

37. Any optometrist, firm or company carrying on the business of the practice of optometry shall not in carrying on such business use or operate

Mobile
refracting
unit.

Opticians (Amendment).

operate a mobile refracting unit except with the consent of the Minister. The Minister in granting such consent may impose such terms, conditions and restrictions as he may, in his absolute discretion, determine. Any optometrist, firm or company contravening the provisions of this section or any such terms, conditions and restrictions, shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred pounds:

Provided, however, that any optometrist, firm or company carrying on the business of the practice of optometry which at the date of commencement of the Opticians (Amendment) Act, 1945, was using or operating a mobile refracting unit in carrying on such business may continue to use or operate such unit for a period not exceeding three months from the date of such commencement without the consent of the Minister.

38. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall, in all courts and before all persons and bodies authorised by law to receive evidence, be prima facie evidence of the facts stated.

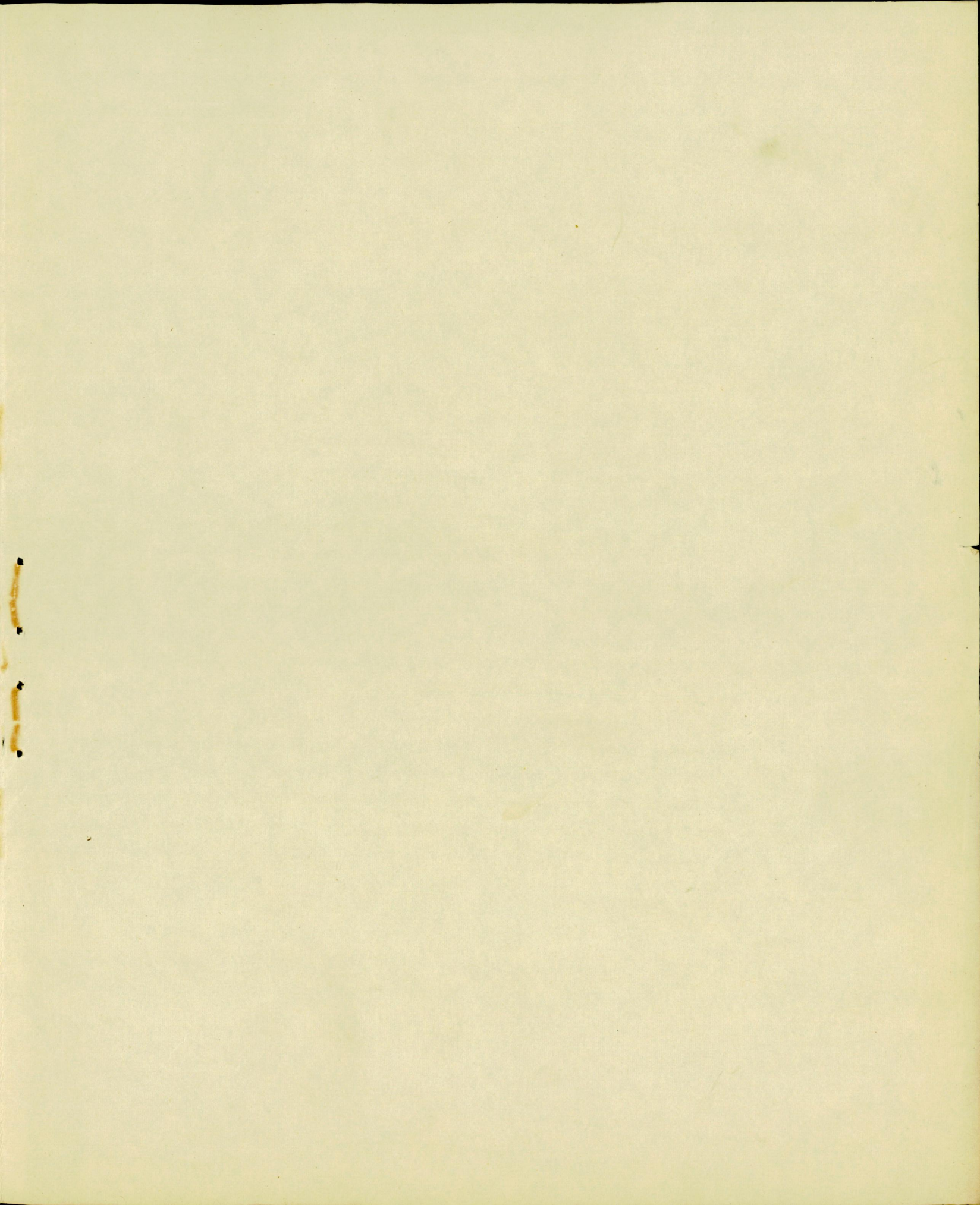
Certificate of registrar to be prima facie evidence. cf. Act No. 10, 1934, s. 19.

(i) by omitting from the matter relating to Part V in section three the figures "35" and by inserting in lieu thereof the figures "38."

Sec. 3. (Consequential.)

3. The Opticians (Amendment) Act, 1931, is amended by omitting paragraph (d) of section two and section three.

Amendment of Act No. 16, 1931. (Consequential.)



New South Wales.



ANNO NONO

GEORGII VI REGIS.

Act No. 36, 1945.

An Act to amend the Opticians Act, 1930-1931, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 19th December, 1945.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Opticians (Amendment) Act, 1945."

Short title, citation and commencement.

(2) The Opticians Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Opticians Act, 1930-1945.

Opticians (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act No. 20,
1930.

Sec. 4.
(Defini-
tions.)

Sec. 13.
(Register.)

2. The Opticians Act, 1930-1931, is amended—

- (a) by inserting in section four in the definition of “Optometry” or the “practice of optometry” after the words “adaptation of” the words “lenses or prisms or”;
- (b) by omitting subsection two of section thirteen and by inserting in lieu thereof the following subsections:—

(2) Every registered optometrist shall, in or before the month of October in each year, pay to the registrar a roll fee of such amount as may be prescribed for the following year.

The fee so prescribed shall not be less than ten shillings nor more than two pounds.

(3) If any registered optometrist does not pay the prescribed roll fee before the thirty-first day of October in any year the board shall notify him by registered letter addressed to him at the address appearing in the register, that if the fee be not paid within one month after the posting of the letter, his name will be removed from the register.

If any registered optometrist who has been so notified fails to pay such fee within the time specified in the letter, the board shall remove his name from the register.

(4) If the name of any registered optometrist is removed from the register under this section, the board shall, upon application in the prescribed form, restore his name to the register upon payment of such fees as are prescribed by the regulations made under this Act.

The regulations may provide for the waiver of such part of the fees as the board may, in a particular case, deem proper

Opticians (Amendment).

(5) Together with the roll fee the registered optometrist shall furnish particulars of his address for entry in the register.

(6) Where the name of any person has been removed from the register, and until the name has been restored thereto, such person shall be deemed not to be a registered optometrist.

- (c) (i) by inserting in paragraph (b) of subsection five of section fifteen after the words "practice and supervision" the words "during the hours in which such premises are open for the practice of optometry." Sec. 15.
(Removal
from
register.)
- (ii) by omitting paragraph (c) of the same subsection and by inserting in lieu thereof the following paragraphs:—
- (c) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or
- (d) canvasses for optometrical business;
- (iii) by inserting in the same subsection after the words "in a professional respect shall" the words "except where the same is lodged by the Director-General of Public Health or by an officer of the Public Service appointed by him for the purpose either generally or in any particular case."
- (d) by omitting paragraph (d) of section nineteen; Sec. 19.
(Qualifications
for registra-
tion.)
- (e) by omitting section twenty-one and by inserting in lieu thereof the following section:— Substituted
sec. 21.
21. (1) The board shall issue to every person registered as an optometrist after the commencement of the Opticians (Amendment) Act, 1945, a certificate in the prescribed form within three months of registration, Certificates.

(2)

Opticians (Amendment).

(2) Every person who, immediately before the commencement of the Opticians (Amendment) Act, 1945, was the holder of a certificate issued under the section which this section replaces shall, within three months after such commencement, surrender such certificate to the board.

The board shall issue to each person who so surrenders his certificate a certificate in the prescribed form.

Sec. 22.
(Consequen-
tial.)

(f) by omitting section twenty-two;

Sec. 30.
(Regula-
tions.)

(g) (i) by omitting paragraph (d1) of subsection one of section thirty and by inserting in lieu thereof the following paragraph:—

(d1) regulating the employment of pupils in optometry or prohibiting the employment of such pupils otherwise than under the personal supervision of a registered optometrist;

(ii) by inserting next after paragraph (f) of the same subsection the following new paragraph:—

(f1) prescribing the manner in which and the extent to which an optometrist or a firm or company carrying on the business of the practice of optometry is authorised to advertise;

Subs. sec. 36
and new secs.
36, 37 and 38

(h) by omitting section thirty-five and by inserting in lieu thereof the following new sections:—

Firm or
company not
to carry on
business except
as provided by
this section.

35. (1) Except as provided in subsection two of this section, or with the approval of the Minister in writing, no firm or company shall carry on the business of the practice of optometry.

(2)

Opticians (Amendment).

(2) Subsection one of this section shall not operate to prohibit a firm or company which was, immediately before the prescribed date, carrying on the business of the practice of optometry from continuing to carry on such business where the carrying on of the business is so continued:—

- (a) at premises in which it was being carried on immediately before the prescribed date, or in lieu of those premises, at other premises which are distant not more than five miles from the premises in which such business was carried on immediately before the prescribed date;
- (b) without any alteration in the name under which the business was being carried on immediately before the prescribed date;
- (c) by or under the personal supervision and control of a registered optometrist whose name is prominently and legibly displayed upon the premises at which such business is carried on.

For the purpose of this subsection the “prescribed date” shall be the first day of September, one thousand nine hundred and forty-five.

Notwithstanding paragraph (b) of this subsection a firm or company may carry on the business of the practice of optometry under a name other than that under which the business was being carried on immediately before the prescribed date if the approval of the Minister in that behalf has been obtained.

(3) If any firm or company contravenes any provision of this section it shall be guilty of an offence against this Act and shall be liable to a penalty of not less than one hundred pounds and not exceeding two hundred pounds.

Opticians (Amendment).

Advertising,
etc., by firm
or company.

36. Any firm or company carrying on the business of the practice of optometry pursuant to section thirty-five of this Act which—

- (a) without the consent of the board takes or uses in connection with such business any title, designation, addition or description other than that of “optometrist” or “optometrists”; or
- (b) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or
- (c) employs, engages or uses any person to canvass for optometrical business,

shall be liable on summary conviction to a penalty not exceeding fifty pounds.

Mobile
refracting
unit.

37. Any optometrist, firm or company carrying on the business of the practice of optometry shall not in carrying on such business use or operate a mobile refracting unit except with the consent of the Minister. The Minister in granting such consent may impose such terms, conditions and restrictions as he may, in his absolute discretion, determine. Any optometrist, firm or company contravening the provisions of this section or any such terms, conditions and restrictions, shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred pounds:

Provided, however, that any optometrist, firm or company carrying on the business of the practice of optometry which at the date of commencement of the Opticians (Amendment) Act, 1945, was using or operating a mobile refracting unit in carrying on such business may continue to use or operate such unit for a period not exceeding three months from the date of such commencement without the consent of the Minister.

Opticians (Amendment).

38. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall, in all courts and before all persons and bodies authorised by law to receive evidence, be prima facie evidence of the facts stated. Certificate of registrar to be prima facie evidence. cf. Act No. 10, 1934, s. 19.
- (i) by omitting from the matter relating to Part V in section three the figures "35" and by inserting in lieu thereof the figures "38." Sec. 3. (Consequential.)
- 3.** The Opticians (Amendment) Act, 1931, is amended by omitting paragraph (d) of section two and section three. Amendment of Act No. 16, 1931. (Consequential.)

By Authority:

THOMAS HENRY TENNANT, Government Printer, Sydney, 1946.

[3d.]

(Amendment)

5. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not in any date or during any period mentioned in the certificate shall, in all courts and before all persons and bodies authorized in law to receive evidence, be prima facie evidence of the facts stated.

(1) by omitting from the matter relating to Part I in section three the figures "25" and by inserting in lieu thereof the figures "28".

2. The Ordinance (Amendment) Act 1941 is amended by substituting paragraph (1) of section two and section three

The Authority

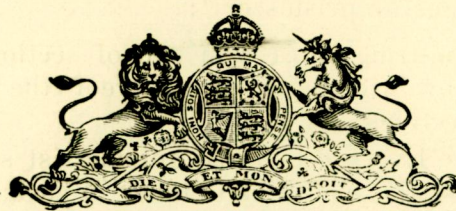
Printed and Published by the Government Printer, 1945

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. R. McCOURT,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 5 December, 1945.*

New South Wales.



ANNO NONO

GEORGII VI REGIS.

Act No. 36, 1945.

An Act to amend the Opticians Act, 1930-1931,
and certain other Acts in certain respects;
and for purposes connected therewith.
[Assented to, 19th December, 1945.]

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
the same, as follows:—

1. (1) This Act may be cited as the "Opticians
(Amendment) Act, 1945."

(2) The Opticians Act, 1930, as amended by
subsequent Acts and by this Act, may be cited as the
Opticians Act, 1930-1945.

Short title,
citation and
commence-
ment.

(3)

*I have examined this Bill, and find it to correspond in all respects
with the Bill as finally passed by both Houses.*

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Opticians (Amendment).

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act No. 20,
1930.

Sec. 4.
(Defini-
tions.)

2. The Opticians Act, 1930-1931, is amended—

(a) by inserting in section four in the definition of “Optometry” or the “practice of optometry” after the words “adaptation of” the words “lenses or prisms or”;

Sec. 13.
(Register.)

(b) by omitting subsection two of section thirteen and by inserting in lieu thereof the following subsections:—

(2) Every registered optometrist shall, in or before the month of October in each year, pay to the registrar a roll fee of such amount as may be prescribed for the following year.

The fee so prescribed shall not be less than ten shillings nor more than two pounds.

(3) If any registered optometrist does not pay the prescribed roll fee before the thirty-first day of October in any year the board shall notify him by registered letter addressed to him at the address appearing in the register, that if the fee be not paid within one month after the posting of the letter, his name will be removed from the register.

If any registered optometrist who has been so notified fails to pay such fee within the time specified in the letter, the board shall remove his name from the register.

(4) If the name of any registered optometrist is removed from the register under this section, the board shall, upon application in the prescribed form, restore his name to the register upon payment of such fees as are prescribed by the regulations made under this Act.

The regulations may provide for the waiver of such part of the fees as the board may, in a particular case, deem proper

(5)

Opticians (Amendment).

(5) Together with the roll fee the registered optometrist shall furnish particulars of his address for entry in the register.

(6) Where the name of any person has been removed from the register, and until the name has been restored thereto, such person shall be deemed not to be a registered optometrist.

(c) (i) by inserting in paragraph (b) of subsection five of section fifteen after the words "practice and supervision" the words "during the hours in which such premises are open for the practice of optometry." Sec. 15.
(Removal
from
register.)

(ii) by omitting paragraph (c) of the same subsection and by inserting in lieu thereof the following paragraphs:—

(c) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or

(d) canvasses for optometrical business;

(iii) by inserting in the same subsection after the words "in a professional respect shall" the words "except where the same is lodged by the Director-General of Public Health or by an officer of the Public Service appointed by him for the purpose either generally or in any particular case."

(d) by omitting paragraph (d) of section nineteen; Sec. 19.
(Qualifications
for registra-
tion.)

(e) by omitting section twenty-one and by inserting in lieu thereof the following section:— Substituted
sec. 21.

21. (1) The board shall issue to every person registered as an optometrist after the commencement of the Opticians (Amendment) Act, 1945, a certificate in the prescribed form within three months of registration. Certificates.

Opticians (Amendment).

(2) Every person who, immediately before the commencement of the Opticians (Amendment) Act, 1945, was the holder of a certificate issued under the section which this section replaces shall, within three months after such commencement, surrender such certificate to the board.

The board shall issue to each person who so surrenders his certificate a certificate in the prescribed form.

Sec. 22.
(Consequential.)
Sec. 30.
(Regulations.)

(f) by omitting section twenty-two;

(g) (i) by omitting paragraph (d1) of subsection one of section thirty and by inserting in lieu thereof the following paragraph:—

(d1) regulating the employment of pupils in optometry or prohibiting the employment of such pupils otherwise than under the personal supervision of a registered optometrist;

(ii) by inserting next after paragraph (f) of the same subsection the following new paragraph:—

(f1) prescribing the manner in which and the extent to which an optometrist or a firm or company carrying on the business of the practice of optometry is authorised to advertise;

Subs. sec. 35
and new secs.
36, 37 and 38

Firm or
company not
to carry on
business except
as provided by
this section.

(h) by omitting section thirty-five and by inserting in lieu thereof the following new sections:—

35. (1) Except as provided in subsection two of this section, or with the approval of the Minister in writing, no firm or company shall carry on the business of the practice of optometry.

Opticians (Amendment).

(2) Subsection one of this section shall not operate to prohibit a firm or company which was, immediately before the prescribed date, carrying on the business of the practice of optometry from continuing to carry on such business where the carrying on of the business is so continued:—

- (a) at premises in which it was being carried on immediately before the prescribed date, or in lieu of those premises, at other premises which are distant not more than five miles from the premises in which such business was carried on immediately before the prescribed date;
- (b) without any alteration in the name under which the business was being carried on immediately before the prescribed date;
- (c) by or under the personal supervision and control of a registered optometrist whose name is prominently and legibly displayed upon the premises at which such business is carried on.

For the purpose of this subsection the “prescribed date” shall be the first day of September, one thousand nine hundred and forty-five.

Notwithstanding paragraph (b) of this subsection a firm or company may carry on the business of the practice of optometry under a name other than that under which the business was being carried on immediately before the prescribed date if the approval of the Minister in that behalf has been obtained.

(3) If any firm or company contravenes any provision of this section it shall be guilty of an offence against this Act and shall be liable to a penalty of not less than one hundred pounds and not exceeding two hundred pounds.

Opticians (Amendment).

Advertising,
etc., by firm
or company.

36. Any firm or company carrying on the business of the practice of optometry pursuant to section thirty-five of this Act which—

- (a) without the consent of the board takes or uses in connection with such business any title, designation, addition or description other than that of "optometrist" or "optometrists"; or
- (b) advertises otherwise than in accordance with the regulations or advertises in contravention of the regulations; or
- (c) employs, engages or uses any person to canvass for optometrical business,

shall be liable on summary conviction to a penalty not exceeding fifty pounds.

Mobile
refracting
unit.

37. Any optometrist, firm or company carrying on the business of the practice of optometry shall not in carrying on such business use or operate a mobile refracting unit except with the consent of the Minister. The Minister in granting such consent may impose such terms, conditions and restrictions as he may, in his absolute discretion, determine. Any optometrist, firm or company contravening the provisions of this section or any such terms, conditions and restrictions, shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding one hundred pounds:

Provided, however, that any optometrist, firm or company carrying on the business of the practice of optometry which at the date of commencement of the Opticians (Amendment) Act, 1945, was using or operating a mobile refracting unit in carrying on such business may continue to use or operate such unit for a period not exceeding three months from the date of such commencement without the consent of the Minister.

Opticians (Amendment).

38. A document purporting to be a certificate under the hand of the registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall, in all courts and before all persons and bodies authorised by law to receive evidence, be prima facie evidence of the facts stated.

Certificate of registrar to be prima facie evidence. cf. Act No. 10, 1934, s. 19.

(i) by omitting from the matter relating to Part V in section three the figures "35" and by inserting in lieu thereof the figures "38."

Sec. 3. (Consequential.)

3. The Opticians (Amendment) Act, 1931, is amended by omitting paragraph (d) of section two and section three.

Amendment of Act No. 16, 1931. (Consequential.)

In the name and on behalf of His Majesty I assent to this Act.

F. R. JORDAN,
Lieutenant-Governor.

*Government House,
Sydney, 19th December, 1945.*

Appendix (continued)

...the ... of the ... and ...
... person was or was not ...
... in the ...
... in all ... and ...
... and ...
... in ...

... from the ...
... the ...
... the ...

3. The ... (Amendment) ...
... (...) ...

In the ... and ... of the ... I assent to
this ...

...

...

...

...