

BILL

No. 75 of 1930.

An Act to amend The Optometry Act.

(Assented to _____, 1930.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Optometry Act Amendment Act, 1930.*"

2. *The Optometry Act*, being chapter 77 of the Statutes of Alberta, 1921, is amended by striking out section 2 thereof and substituting therefor the following:

"2.—(1) Any one or any combination of the following practices shall constitute the practice of optometry:

"(a) The examination of the human eye by the employment of subjective or objective means to ascertain the presence of defects or abnormal conditions which, or the effect of which, may be corrected, relieved or remedied by the use of lenses, prisms, ocular exercises or mechanical therapy;

"(b) The employment of objective or subjective mechanical means to determine the accommodative or refractive conditions of the human eye or the range of the powers of vision of the human eye;

"(c) The prescription or adaption of lenses or prisms and the prescribing and giving of ocular exercises to correct, relieve or remedy defects or abnormal conditions of the human eye;

"(d) The replacement, duplication, sale or supplying of an ophthalmic lens without a prescription from a person authorized under the laws of this Province to practise either optometry or medicine or surgery. The provisions of this paragraph shall not be construed so as to prevent an optical mechanic from doing the merely mechanical work in such a case.

"(2) An 'ophthalmic lens' within the meaning of this Act shall be any lens which has a spherical, cylindrical or prismatic power or value."

3.—(1) Section 5 of the said Act is amended as to subsection (1) thereof, by striking out paragraph (c), and substituting therefor the following:

“(c) The maintenance of the association by levying contributions or otherwise; provided, however, that no such levies shall in any year exceed the total sum of fifty dollars on each member.”

(2) Subsection (2) of section 5 is struck out, and the following substituted:

“(2) All by-laws or amendments thereto before becoming effective shall be ratified by the association at an Annual General Meeting, or a General Meeting called for that purpose.”

4. Section 6 of the said Act is hereby struck out, and the following substituted therefor:

“6.—(1) There shall be a council of management of the association consisting of such number and including such officers as the association shall from time to time by by-law enact, the said council shall be elected at each annual meeting of the association, and shall hold office until the next annual meeting.

“(2) The majority, or, in case of an even number, one-half, of the members of the council shall constitute a quorum.

“(3) The council in addition to such other powers as may be conferred upon it by the association, shall have power to discipline the members of the association, and to suspend or expel any member thereof for failure to comply with the regulations or by-laws of the association, or for misconduct.”

5. Section 9, subsection (1), of the said Act is amended—

(a) as to paragraph (a) thereof, by striking out the word “has”; and

(b) as to paragraph (b) thereof, by striking out the words “served an apprenticeship of at least six months in the Province of Alberta, with a member of the association, or.”

6. Subsection (3) of section 10 is struck out.

7. Section 11 of the said Act is amended as to subsection (1) thereof by striking out of paragraph (a) thereof the figures “\$15.00,” and substituting therefor the figures “\$50.00.”

8. Section 12 of the said Act is hereby struck out and the following substituted therefor:

“12. The Board of Examiners and the members thereof shall be entitled to such remuneration and such allowance for expenses as to the Senate of the University of Alberta shall seem fit.”

9. Section 14 of the said Act is amended by striking out subsections (2) and (3) thereof, and substituting therefor the following:

“(2) The use of test lenses, trial frames or other appliances for testing the vision of the human eye shall be deemed *prima facie* evidence of the practice of optometry.

“(3) Any person who, not being registered under this Act, practises optometry within the Province of Alberta, or who carries on business under any title, name or description as aforesaid, shall on summary conviction be liable to a fine not exceeding one hundred dollars for the first offence; not less than one hundred dollars and not exceeding five hundred dollars for the second offence; not less than five hundred dollars and not exceeding one thousand dollars, or to imprisonment for a term not exceeding three months or both for any subsequent offence.

“(4) The onus of proof of registration under this Act shall be upon the person charged with any offence under this Act.

“(5) Any penalties imposed by this Act may also be proceeded for and recovered by suit in any Court of law having jurisdiction, and one-half of all penalties recovered shall be paid into the general revenue fund of the Province of Alberta, and the remainder shall be paid to the treasurer of the said association and form part of the funds of the said association.”

No. 75.

FOURTH SESSION
SIXTH LEGISLATURE
20 GEORGE V
1930

BILL

An Act to amend The Optometry Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. HOADLEY

EDMONTON:
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A.D. 1930