



THE STATUTES OF THE REPUBLIC OF SINGAPORE

CONTACT LENS PRACTITIONERS ACT

(CHAPTER 53A)

**Act
25 of 1995**

1996 Ed. Cap. 53A

Amended by
4 of 2001

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Contact Lens Practitioners Act

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An Act to provide for the registration of contact lens practitioners and for purposes connected therewith.

[1st February 1996]

Short title

1. This Act may be cited as the Contact Lens Practitioners Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“annual licence” means an annual licence granted under section 9;

“Authority” means the Health Sciences Authority established under the Health Sciences Authority Act (Cap. 122C);

“Board” means the Contact Lens Practitioners Board established under section 3;

“contact lens practitioner” means a person engaged in the testing of sight and the prescription or the fitting of contact lenses;

“institution” means an institution of higher learning and includes a university, college or polytechnic;

“licence” means an annual licence or a provisional licence granted under this Act;

“provisional licence” means a provisional licence granted under section 10;

“register” means the register of contact lens practitioners maintained under section 6;

“registered contact lens practitioner” means a contact lens practitioner whose name is registered in the register;

“registered medical practitioner” has the same meaning as in the Medical Registration Act (Cap. 174);

“Registrar” means the Registrar of the Board appointed under section 5 (1);

“testing of sight” means the examination of the eyes and the measurement of their functions and powers with the object of —

- (a) determining whether there is any abnormality or defect of sight and, if so, the nature and degree of such abnormality; and
- (b) correcting, remedying or relieving any abnormality or defect of sight.

[4/2001]

Establishment of Contact Lens Practitioners Board

3.—(1) There is hereby established a body to be known as the Contact Lens Practitioners Board which shall consist of the following members, all of whom shall be appointed by the Authority:

- (a) a registered medical practitioner with specialist qualification in ophthalmology, who shall be the chairman;
- (b) 2 members who are registered contact lens practitioners;
- (c) 2 members who are registered medical practitioners with specialist qualifications in ophthalmology; and
- (d) 2 members of the academic staff of any institution in Singapore which conducts a course of instruction in optometry or contact lens practice.

[4/2001]

(2) The Authority may give to the Board such directions, not inconsistent with the provisions of this Act, as to the exercise and performance by the Board of its functions and powers, and the Board shall give effect to any such direction.

[4/2001]

(3) The Schedule shall apply to the Board, its members and proceedings.

Functions of Board

4. It shall be the functions of the Board to —

- (a) maintain a register of contact lens practitioners;
- (b) determine the requirements for the training, education and examination of persons for the purposes of registration under this Act;
- (c) determine the syllabuses and the contents of courses of instruction and the examinations leading to the qualifications required for registration under this Act;

- (d) provide continuing education for contact lens practitioners; and
- (e) regulate, determine and improve the standards of practice, professional conduct and discipline of contact lens practitioners.

Appointment and duties of Registrar

5.—(1) The Authority shall appoint a Registrar of the Board.

[4/2001]

(2) The Registrar shall be under the general direction of the Board and shall —

- (a) maintain the register of contact lens practitioners in accordance with this Act;
- (b) sign all certificates of registration and licences granted by the Board; and
- (c) record all entries of registration, cancellations and reinstatements in the register.

(3) The Registrar shall attend all meetings of the Board and record the proceedings thereof, and shall conduct the correspondence and deal with such matters as may be assigned to him by the Board.

(4) The Registrar shall —

- (a) as soon as may be convenient after 1st February 1996, prepare and publish in the *Gazette* a list containing the names, qualifications and addresses of all contact lens practitioners whose names appear in the register and thereafter shall publish a revised list at least once in 3 years; and
- (b) from time to time publish in the *Gazette* the names, qualifications and addresses of all contact lens practitioners added to or removed from the register.

(5) In any proceedings, a list published under subsection (4) shall be prima facie evidence that any person whose name appears therein is registered as a contact lens practitioner.

(6) The Authority may appoint such person as it considers fit to act as Registrar during the absence from Singapore or incapacity from illness or otherwise of the Registrar.

[4/2001]

Register

6.—(1) The register of contact lens practitioners shall be maintained in such form as the Board may determine and shall contain —

- (a) the names of all persons registered under this Act;
- (b) the qualifications by virtue of which they are so registered; and
- (c) such other particulars as may from time to time be determined by the Board.

(2) Any person may, on payment of the prescribed fee, inspect the register at any time during the office hours of the Board.

(3) A copy of any entry in the register purporting to be certified by the Registrar as a true copy thereof shall in all proceedings be prima facie evidence of all matters specified therein.

Qualifications for registration

7.—(1) Subject to the provisions of this Act, a person shall be entitled to be registered as a contact lens practitioner under this Act if he —

- (a) holds a degree, diploma or qualification which the Board may, by order published in the *Gazette*, and subject to such conditions and restrictions as the Board may specify in the order, declare to be a degree, diploma or qualification entitling the holder thereof to be registered as a contact lens practitioner under this Act;
- (b) holds any qualification which the Board may, subject to such conditions and restrictions as the Board may specify, approve as a qualification entitling the holder thereof to be registered as a contact lens practitioner under this Act; or
- (c) holds a provisional licence and has, within such time as the Board may specify, completed such course of instruction and passed such examinations as the Board may approve under subsection (3).

(2) No person shall be registered as a contact lens practitioner under this Act unless he satisfies the Board that —

- (a) he is of good character and reputation; and
- (b) he is able effectively and safely to practise as a contact lens practitioner.

(3) The Board may, for the purposes of subsection (1) (c), by notification in the *Gazette*, approve any course of instruction and examination conducted by any institution or other body which the Board is satisfied will adequately equip a person who has undergone the course to practise as a contact lens practitioner.

Application for and certificate of registration

8.—(1) Any person who satisfies the requirements of section 7 may apply to the Registrar for registration as a contact lens practitioner.

(2) An application for registration shall be made in such form as the Registrar may require and shall be accompanied by the prescribed fee.

(3) Where an applicant has complied with the requirements of subsections (1) and (2), the Registrar shall —

- (a) register his name and other relevant particulars in the register; and
- (b) issue to him a certificate of registration in the prescribed form.

Annual licence

9.—(1) The Registrar shall, upon registering the name of any person in the register, grant to him an annual licence authorising him to practise as a contact lens practitioner.

(2) An annual licence shall be in force for a period of one year from the date on which it is granted unless it is earlier revoked in accordance with the provisions of this Act.

(3) An application for the renewal of an annual licence shall be made in such form as the Registrar may require and shall be accompanied by the prescribed fee.

(4) The annual licence of a registered contact lens practitioner shall be revoked when his registration is cancelled under section 12 (1).

Provisional licence

10.—(1) The Registrar may, upon such conditions as the Board may consider fit to impose, grant to any person who —

- (a) immediately prior to 1st February 1996, had been practising as a contact lens practitioner for a continuous period of not less than 2 years;
- (b) before the expiry of one month from 1st February 1996 has applied for a provisional licence; and
- (c) has registered to undergo or is undergoing a course of instruction approved under section 7 (3),

a provisional licence authorising him to practise as a contact lens practitioner.

(2) An application for a provisional licence shall be made in such form as the Registrar may require and shall be accompanied by the prescribed fee.

(3) A provisional licence shall, unless earlier revoked, remain in force for such period stated therein.

(4) The Board may revoke the provisional licence granted to any contact lens practitioner —

- (a) if he fails to comply with any of the conditions of his provisional licence; or
- (b) upon the occurrence of any of the events referred to in section 12 (1) (c), (e) or (f).

(5) The holder of a provisional licence who makes use of any term other than that of “provisionally licensed contact lens practitioner” in describing his vocation shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Display of licence

11. Every registered contact lens practitioner and every person who holds a provisional licence shall display his licence conspicuously at the principal place of his practice as a contact lens practitioner.

Cancellation of registration

12.—(1) The Board may, subject to subsection (2), cancel the registration of any registered contact lens practitioner if —

- (a) his registration under this Act has been obtained by fraud or misrepresentation;
- (b) any of his qualifications by virtue of which he was registered under this Act has been withdrawn or cancelled by the

authority through which it was acquired or by which it was awarded;

- (c) he has been convicted of an offence or has been guilty of any misconduct or negligence which the Board is satisfied renders him unfit to remain in practice as a contact lens practitioner;
- (d) he has failed to obtain an annual licence in accordance with section 9;
- (e) he is suffering from any disease or disability which the Board is satisfied renders him unfit to practise as a contact lens practitioner; or
- (f) he has ceased to practise as a contact lens practitioner.

(2) Where a registered contact lens practitioner is liable to have his registration cancelled under subsection (1) (c), the Board may, instead of cancelling his registration, take one or more of the following measures:

- (a) caution or censure him;
- (b) suspend him from practice as a contact lens practitioner for a period of not less than 3 months and not more than 2 years;
- (c) impose on him a penalty not exceeding \$2,000.

(3) The Board shall not cancel the registration of any registered contact lens practitioner under subsection (1) or take any action against him under subsection (2) unless the Board has given him an opportunity of being heard either personally or by counsel.

(4) Where the Board cancels the registration of any registered contact lens practitioner under subsection (1) or takes any action against him under subsection (2), the Board may order him to pay such sum as it thinks fit in respect of the costs and expenses of and incidental to any inquiry held by the Board.

(5) A decision to cancel the registration of a registered contact lens practitioner or to suspend him from practice as a contact lens practitioner shall not take effect until the expiration of one month from the date on which the decision has been communicated to him or, where an appeal against the decision is made to the Minister, until the appeal has been determined or withdrawn.

(6) While any registered contact lens practitioner remains suspended from practice, it shall be deemed that, for the period of his

suspension, his registration has been cancelled and that his annual licence has been revoked, except that any unexpired period of his registration or annual licence shall, upon the expiry of his suspension, be revived immediately.

Appeal to Minister

13. A person aggrieved by —

- (a) the refusal of the Board to register his name in the register;
- (b) a decision of the Board to —
 - (i) cancel his registration under section 12 (1); or
 - (ii) take any action against him under section 12 (2); or
- (c) a decision of the Board to revoke his provisional licence under section 10 (4),

may, within one month after the refusal or decision has been communicated to him or within such further period as the Minister may allow, appeal to the Minister whose decision shall be final.

Reinstatement of name in register

14. The Board may, in its discretion and subject to such terms and conditions as it thinks fit, consider and grant an application for registration made in accordance with section 7 by a contact lens practitioner whose registration has been cancelled under section 12 (1).

Notification of change of address

15.—(1) Subject to subsection (2), every registered contact lens practitioner shall notify the Registrar of any change in his residential or business address within 14 days of such change.

(2) Where a registered contact lens practitioner who has changed his residential address makes a report of the change under section 8 of the National Registration Act (Cap. 201) within 14 days thereof, he shall be deemed to have notified the Registrar of the change in his residential address in compliance with subsection (1).

Illegal practice

16.—(1) No person shall practise as, or by advertisement or otherwise hold himself out to be, a contact lens practitioner unless —

- (a) he is registered as a contact lens practitioner under this Act and has in force a licence authorising him to practise as such; or
- (b) he has in force a provisional licence authorising him to practise as a contact lens practitioner.

(2) No person shall employ as a contact lens practitioner any person who does not have in force a licence authorising him to practise as such.

(3) Any person who contravenes subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

Prohibition on fees

17. No person shall be entitled to recover in any court any charge, fee or remuneration for any work done in contravention of section 16.

Use of preparation containing poison or controlled drug

18.—(1) A contact lens practitioner who is not a registered medical practitioner shall not in his practice as a contact lens practitioner administer any preparation containing any poison or controlled drug except any such preparation as the Minister may, by order published in the *Gazette*, specify.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both.

Referral of eye injuries and diseases

19. Where it appears to a contact lens practitioner who is not a registered medical practitioner that a person consulting him is suffering from an injury or disease of the eye, he shall, except in an emergency or where, owing to special circumstances, it is impracticable or inexpedient to do so, advise the person to seek advice and treatment from a registered medical practitioner with specialist qualifications in ophthalmology.

Restrictions on sale and supply of contact lenses

20.—(1) Subject to this section, no person shall sell or supply contact lenses unless he has in force a licence under this Act.

(2) Nothing in subsection (1) shall prohibit a manufacturer of, or a wholesale dealer in, contact lenses from supplying contact lenses in the ordinary course of business to —

- (a) a registered contact lens practitioner or the holder of a provisional licence;
- (b) any hospital, clinic, nursing home or other institution providing medical or surgical treatment;
- (c) any institution or other body for the purpose of education or research;
- (d) a Government department; or
- (e) any other person for the sole purpose of export.

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

Powers to inspect premises and to observe courses of instruction

21.—(1) The Board may in writing authorise any person —

- (a) to enter and inspect any premises which are used or proposed to be used, or in respect of which there is reasonable cause to believe that they are being used, for the testing of sight and the prescription and fitting of contact lenses;
- (b) to inquire into and to report to the Board the conditions under which the testing of sight and the prescription and fitting of contact lenses are being or are proposed to be carried out by any person;
- (c) to observe the conduct of any course of instruction or examination approved under section 7 (3); and
- (d) to enter and inspect any premises where any course of instruction approved under section 7 (3) is or is proposed to be conducted.

(2) Any person who wilfully obstructs an authorised person in the exercise of his authority under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

No action in absence of bad faith

22. No action or proceedings shall lie against the Board or any member thereof, the Registrar or any other authorised person for any act or thing done under this Act unless it is proved to the court that the act or thing was done in bad faith.

Composition of offences

23.—(1) The Board or any officer authorised by the Board may, in its or his discretion, compound any offence under this Act which is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$1,000.

[4/2001]

(2) The Authority may, with the approval of the Minister, make regulations to prescribe the offences which may be compounded.

[22A

[4/2001]

Fees, charges, etc., collected by Board to be paid to Authority

24. All fees, charges and other moneys received or collected by the Board under this Act shall be paid to the Authority.

[22B

[4/2001]

Exemption

25.—(1) The Minister may, in his discretion and subject to such conditions as he thinks fit, exempt any person or class of persons from all or any of the provisions of this Act.

(2) Nothing in this Act shall prohibit a person who is undergoing —

(a) a course of instruction leading to a degree, diploma or qualification declared or approved by the Board under section 7 (1) (a) or (b);

(b) a course of instruction approved by the Board under section 7 (3); or

- (c) a course of instruction in contact lens practice or any aspect thereof for persons seeking to qualify, or for persons already qualified, as medical practitioners,

from engaging in any aspect of the practice of a contact lens practitioner as a part of the course of instruction.

[23

Regulations

26.—(1) The Authority may, with the approval of the Minister, make regulations for carrying out the purposes of this Act and for any matter which is required under this Act to be prescribed.

[4/2001]

(2) Without prejudice to the generality of subsection (1), the Authority may, with the approval of the Minister, make regulations —

- (a) prescribing the forms and the information and documents to be furnished in connection with an application under this Act;
- (b) prescribing the manner in which and the time within which an application under this Act is to be made;
- (c) prescribing the fees for the purposes of this Act;
- (d) prescribing the form of the register and the particulars to be entered therein;
- (e) prescribing codes of professional conduct for registered contact lens practitioners;
- (f) regulating the discipline of registered contact lens practitioners;
- (g) regulating the use by registered contact lens practitioners of any means of giving publicity, whether by advertisements or not, to their practice as contact lens practitioners;
- (h) regulating the procedures or methods used in the testing of sight and the prescription, supply and fitting of contact lenses;
- (i) regulating the quality of contact lenses which may be sold or supplied by registered contact lens practitioners; and
- (j) regulating the use and storage of any machinery, equipment or other facility for the testing of sight and the supply and fitting of contact lenses.

[24

[4/2001]

Savings and transitional provisions

27.—(1) Every person who, immediately before 1st April 2001*, was holding office as a member of the Board or as the Registrar, shall, as from that date, continue to hold such office as if he had been appointed by the Authority under section 3 or 5 (as the case may be) on the same terms and conditions for a term expiring on the date on which his original appointment would expire.

[4/2001]

(2) Any regulations made by the Board under section 26 in force immediately before 1st April 2001 shall be deemed to have been made by the Authority under section 26 in force on that date.

[25

[4/2001]

THE SCHEDULE

Section 3 (3)

CONSTITUTION AND PROCEEDINGS OF BOARD**Appointment of chairman and other members**

1. The chairman and other members of the Board shall be appointed by the Authority and shall hold office for a term of 3 years or for such shorter term as may be determined by the Authority.

Disqualification from membership

2. No person shall be appointed or shall continue to hold office as a member if he —

- (a) is of unsound mind;
- (b) is an undischarged bankrupt or has made any arrangement or composition with his creditors; or
- (c) is convicted of an offence under this Act or of an offence involving dishonesty, fraud or moral turpitude, and has not received a free pardon.

Revocation of appointment

3. The Authority may, at any time, revoke the appointment of any member of the Board without assigning any reason.

Vacation of office of member

4. The office of any member of the Board shall become vacant if the member —

- (a) dies;
- (b) by notice in writing given to the Authority resigns from his office;

*Date of commencement of the Health Sciences Authority Act (Cap. 122C).

THE SCHEDULE — *continued*

- (c) has his appointment revoked; or
- (d) becomes in any manner disqualified for membership of the Board.

Filling of vacancy in office of member

5. If a member dies, resigns or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, the Authority may appoint a person to fill the vacancy for the residue of the term for which the vacating member was appointed.

Meetings of Board

6. The Board shall meet at such times and at such places as the chairman may appoint.

Quorum

7.—(1) At any meeting of the Board, 4 members present shall form a quorum and no business shall be transacted at any meeting unless a quorum is present.

(2) At any meeting, the chairman shall preside and in his absence the members present shall elect from among themselves one member to preside over the meeting.

(3) Every member present at a meeting shall have a deliberative vote, and every decision at the meeting shall be adopted by a simple majority of votes of the members present and voting except that, in the case of an equality of votes, the chairman, or in his absence the member presiding over the meeting, shall have a casting vote.

Vacancies

8. The powers of the Board may be exercised notwithstanding a vacancy in the membership of the Board or any defect in the appointment of any member thereof.

Procedure at meetings

9. The Board may regulate its own proceedings.

Appointment of committees and delegation of powers

10. The Board may from time to time appoint committees consisting of persons who may or may not be members of the Board, either for general or specific purposes, and may delegate to such committees power to do any specific act or carry out any specific function.

[4/2001]

LEGISLATIVE HISTORY
CONTACT LENS PRACTITIONERS ACT
(CHAPTER 53A)

1. Act 25 of 1995 — Contact Lens Practitioners Act 1995

Date of First Reading	:	25.5.95 (Bill No. 21/95 published on 26.5.95)
Date of Second and Third Readings	:	7.7.95
Date of commencement	:	1.2.96

2. Act 4 of 2001 — Health Sciences Authority Act 2001

(Consequential amendments made by)

Date of First Reading	:	12.1.2001 (Bill No. 3/2001 published on 13.1.2001)
Date of Second and Third Readings	:	22.2.2001
Date of commencement	:	1.4.2001

COMPARATIVE TABLE

CONTACT LENS PRACTITIONERS ACT (CHAPTER 53A)

The following provisions in the 1996 Revised Edition of the Contact Lens Practitioners Act have been renumbered by the Law Revision Commissioners in this 2002 Revised Edition.

This Comparative Table is provided for the convenience of users. It is not part of the Contact Lens Practitioners Act.

2002 Ed.	1996 Ed.
3—(2)	3—(1A)
(3)	(2)
23	22A
24	22B
25	23
26	24
27	25