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TO

Make provision for the sale of adjustable focus spectacles.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Sale of adjustable focus spectacles**

- (1) The Opticians Act 1989 is amended as follows.
- (2) After subsection 27(2)(c) of the Opticians Act 1989 (sale and supply of optical appliances) insert “; or
- (d) a sale for a person who has attained the age of sixteen in respect of which the spectacles being sold meet all of the criteria set out in subsection (3ZA) and the sale meets the requirements in subsection (3ZB). 5
- (3ZA) The criteria referred to in subsection (2)(d) are that—
- (a) the spectacles have two single vision lenses of adjustable spherical power; 10
- (b) each lens of the spectacles may be adjusted repeatedly by the wearer in increments of less than 0.25 dioptres;
- (c) each lens of the spectacles is designed such that it cannot be adjusted to a spherical power of more than positive 4.24 dioptres or less than negative 6.24 dioptres; 15
- (d) each lens of the spectacles may be adjusted by the wearer at least two dioptres; and
- (e) the spectacles conform with the requirements specified in the Medical Devices Regulations (SI 2000 No. 618). 20
- (3ZB) The requirements referred to in subsection (2)(d) are—
- (a) that the spherical power range of the spectacles and the guidance set out in Schedule 1B are presented in reasonably clear and legible writing on the packaging of the spectacles, having regard to the size of the packaging, and in the product information leaflet provided inside the packaging of the spectacles; and 25

- (b) that in the case of any distance sale of spectacles, on or before the time of sale of the spectacles, the purchaser is made aware in clear and legible writing or by verbal communication of the spherical power range of the spectacles and the guidance set out in Schedule 1B.”

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- (3) After Schedule 1A insert—

“SCHEDULE 1B

GUIDANCE: SALE OF ADJUSTABLE FOCUS SPECTACLES

- 1 The guidance referred to in section 27(3ZB) is as follows—

“Guidance

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1 These spectacles are not to be used by any person under the age of sixteen.

2 These spectacles are not to be used by any person who is registered blind or registered as partially sighted in the United Kingdom of Great Britain and Northern Ireland.

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3 These spectacles are not to be used by any person whose prescription for either eye is more than positive 4.24 dioptres or less than negative 6.24 dioptres.

4 These spectacles are not a substitute for fixed focus prescription spectacles and should only be used on a temporary basis until fixed focus prescription spectacles have been obtained.

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5 These spectacles are not adjustable to correct for astigmatism.”

- 2 Point 5 does not need to be included in the guidance if the spectacles are designed to be adjusted by the wearer to correct for astigmatism.”

**2 Extent, commencement and short title**

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- (1) This Act extends to the whole of the United Kingdom.
- (2) Section 1 comes into force at the end of the period of two months beginning with the day on which this Act is passed.
- (3) This section comes into force on the day on which this Act is passed.
- (4) This Act may be cited as the Opticians Act 1989 (Amendment) Act 2016.

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# **Opticians Act 1989 (Amendment) Bill [HL]**

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To make provision for the sale of adjustable focus spectacles.

*Lord Newby*

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