



New South Wales

Optical Dispensers Amendment (Ready Made Spectacles) Regulation 1996

under the

Optical Dispensers Act 1963

His Excellency the Governor, with the advice of the Executive Council has made the following Regulation under the *Optical Dispensers Act 1963*.

A. J. Refshauge

Deputy Premier and Minister for Health

Explanatory note

The object of this Regulation is to amend the *Optical Dispensers Regulation 1992* to exempt the sale of certain ready made spectacles designed to alleviate the effects of presbyopia from the provisions of the Act dealing with optical dispensing so long as a warning that they are not prescription lenses is attached to the spectacles when sold. Presbyopia is a condition that results in a decreased ability to focus on near objects as age advances.

This Regulation is made under the *Optical Dispensers Act 1963*, including section 35 (the general regulation-making power) and section 2 (2).

1996 No 566

Clause 1 Optical Dispensers Amendment (Ready Made Spectacles) Regulation 1996

Optical Dispensers Amendment (Ready Made Spectacles) Regulation 1996

1 Name of Regulation

This Regulation is the *Optical Dispensers Amendment (Ready Made Spectacles) Regulation 1996*.

2 Commencement

This Regulation commences on 22 November 1996.

3 Amendment of Optical Dispensers Regulation 1992

The *Optical Dispensers Regulation 1992* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 3)

Clause 3A Sale of certain optical appliances excluded from the definition of optical dispensing

Insert at the end of clause 3A:

- (2) The sale of ready made spectacles is taken not to be optical dispensing for the purposes of the Act if:
 - (a) the spectacles are designed to alleviate the effects of presbyopia only, and
 - (b) the spectacles comprise 2 lenses of equal power, being a power of plus one diopetre or more but not exceeding plus 3.5 dioptries, and

- (c) in the case of a sale by retail—the spectacles are sold to consumers with a warning notice attached that is printed in black type on a background of contrasting colour and is worded as follows:

WARNING

The lenses in these glasses are not prescription lenses.

They are not intended as a substitute for lenses or spectacles specifically prescribed for you.

*If you are aware of or suspect that you have any defect of sight, you should arrange an examination by an **ophthalmologist** or **optometrist**.*

You should have your eyes regularly checked by an ophthalmologist or optometrist.