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REPUBLIC OF KENYA

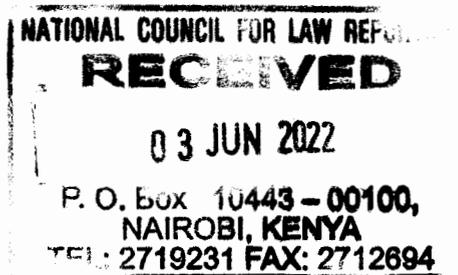
KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2022

NAIROBI, 5th April, 2022

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THE OPTICIANS BILL, 2022

A Bill for

AN ACT of Parliament to make provision for the training, registration and licensing of optometrists and dispensing opticians and facilities offering optical services, to regulate their practice, to provide for the establishment, powers and functions of the Opticians Council of Kenya; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows—

PART I—PRELIMINARY

1. This Act may be cited as the Optometrists and Opticians Act, 2022, and shall come into force on the fourteenth day after publication in the *Gazette*.

Short title and commencement.

2. In this Act, except where the context otherwise requires—

Interpretation.

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to health;

“Council” means the Kenya Opticians Council established by section 3;

“Chairperson” means the Chairperson of the Council;

“dispensing optician” means a person engaged in the fitting and supply of optical devices;

“optical devices” means any optical systems which is used in conjunction with the eye and shall include and not be limited to spectacles or frames, contact lenses, prescription ophthalmic lenses, prosthetic ocular shells, low vision aids to correct sight and or anomalies of binocular vision and also telescopes or microscopes to magnify and object;

“optician” means a person who is a holder of a valid certificate under this Act, and is entitled to practice as a dispensing optician;

“optometrist and ophthalmic opticians” mean a registered healthcare professional and primary provider of vision care, which includes refraction and dispensing,

detection and management of disease in the eye and the rehabilitation of conditions of the visual system based on their scope of studies;

“register” means the register of dispensing opticians and optometrists;

“Registrar” means the Registrar appointed under section 10.

PART II—ESTABLISHMENT OF THE OPTICIANS COUNCIL OF KENYA

3. (1) There is established a Council to be known as the Opticians Council of Kenya.

Establishment of the Council.

(2) The Council shall be a body corporate with perpetual succession and a seal and shall in its corporate name, be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of both movable and immovable property;
- (c) borrowing and lending money;
- (d) entering into accounts;
- (e) doing or performing all such other acts necessary for the proper performance of its functions under this Act, which may be lawfully done or performed by a body corporate.

4. (1) The object and purpose for which the Council is established is to exercise supervision and control over the training and practice of optometry and the practice of dispensing opticians in Kenya and to advise the Government in relation to all aspects thereof.

Functions of the Council.

(2) Without prejudice to the generality of subsection (1) the Council shall—

- (a) prescribe the minimum educational requirements for persons wishing to be registered as optometrists or a dispensing opticians under this Act;
- (b) consider and approve the qualifications of optometrists or dispensing opticians for the purposes of registration under this Act;