



## CHAPTER 87

### An Act to amend the charter of The Association of Optometrists and Opticians of the Province of Quebec

[Assented to, the 24th of March, 1926]

**W**HEREAS The Association of Optometrists and Opticians of the Province of Quebec, as incorporated by the act 6 Edward VII, chapter 89, amended by the acts 9 Edward VII, chapter 130; 2 George V, chapter 110; 4 George V, chapter 120, and 9 George V, chapter 129, has, by its petition, represented that it is in the interest of the proper administration of the said association and of the public that certain amendments be made to the said acts, that certain additional powers inherent to its maintenance be granted to it and that its rights and obligations be better defined; and

Whereas it is expedient to grant the prayer to that effect contained in the said petition;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Whenever courses in optometry are given in any university of the Province of Quebec, the diploma granted by it shall give the holders thereof all the rights and privileges conferred upon members of The Association of Optometrists and Opticians of the Province of Quebec and shall constitute them members of the association, on payment of the fees required by the latter.

Rights conferred by university diplomas.

**2.** Sections 2*b* and 2*c* of the act 6 Edward VII, chapter 89, as enacted by the act 9 Edward VII, chapter 130, section 1, are repealed.

6 Ed. VII, c. 89, ss. 2*b*, 2*c* repealed.

**3.** Section 2*d* of the act 6 Edward VII, chapter 89, as enacted by the act 9 Edward VII, chapter 130, section 1,

6 Ed. VII, c. 89, s. 2*d*, replaced.

and replaced by the act 9 George V, chapter 129, section 3, is again replaced by the following:

Fees, etc.

“**2d.** Any optometrist and optician who desires to continue the practice of optometry in this Province shall annually pay to the treasurer of the association a registration fee of from ten to twenty-five dollars per annum, at the discretion of said council, for which he shall receive the renewal of said registration and license, and, in default of such payment, his certificate may be cancelled by the council of the association, upon thirty days’ notice.”

6 Ed. VII, c. 89, s. 2e, replaced.

**4.** Section 2e of the act 6 Edward VII, chapter 89, as enacted by the act 9 Edward VII, chapter 130, section 1, is replaced by the following:

Definition of optometry.

“**2e.** Optometry is defined to be the employment of any means other than the use of drugs for the detecting and the measurement of errors of refraction such as hypermetropia, myopia, presbyopia, astigmatism and muscular asthenopia by the adaptation of lenses for the aid thereof.

Idem.

It also includes any examination of the sight by any means whatsoever other than the use of drugs for determining acuteness of vision.”

6 Ed. VII, c. 89, s. 2g, replaced.

**5.** Section 2g of the act 6 Edward VII, chapter 89, as enacted by the act 9 Edward VII, chapter 130, section 1, and replaced by the act 2 George V, chapter 110, section 1, is again replaced by the following:

Assuming name, etc., that might lead to false interpretation.

“**2g.** Every person who, in an advertisement, in a newspaper, or in written or printed circulars, or on business cards or on signs, assumes a title, name or description calculated to lead to the belief that he is duly registered or qualified to practise optometry, unless he be duly authorized and registered in this Province under the Act of The Association of Optometrists and Opticians of the Province of Quebec, shall in each case be liable to a fine of fifty dollars for the first offence, and of one hundred dollars for every subsequent offence, with costs.”

Penalty.

6 Ed. VII, c. 89, ss. 2h to 2m, added.

**6.** The following sections are added after section 2g of the act 6 Edward VII, chapter 89, as enacted by the act 9 Edward VII, chapter 130, section 1, and replaced by the act 2 George V, chapter 110, section 1:

Optometrist employed must have name on sign.

“**2h.** Any person, firm, corporation or association employing an optometrist-optician shall have the name of such optometrist inscribed on a sign, placed in view on the outside of his establishment.

Conditions to keep more

“**2i.** No optometrist shall keep more than one establishment or office unless each additional establishment or

office is under the control or management of an optometrist than one establishment. in good standing with the association.

“2j. No optometrist shall lend his name to an unqualified person or aid him to practise optometry in contravention of this act. Lending name.

“2k. No optometrist shall advertise free examination of eyesight; this prohibition shall extend to all persons, firms, corporations or associations which employ an optometrist. Advertising free examination.

“2l. No optometrist or optician shall prescribe, sell, give or employ any medicament, patented or other, intended for the treatment of eye diseases or any other disease. No medicaments.

“2m. Any person, firm, corporation or association violating the provisions of sections 2h, 2i, 2j and 2k of this act shall be liable to a fine of fifty dollars for the first offence, and one hundred dollars for each subsequent offence, with costs.” Penalties.

7. Section 3 of the act 2 George V, chapter 110, is replaced by the following: 2 Geo. V, c. 110, s. 3, replaced.

“3. The board of The Association of Optometrists and Opticians of the Province of Quebec may, by by-law, order that whoever wishes in future to belong to The Association of Optometrists and Opticians of the Province of Quebec, shall have previously followed the course given by the college of the said association. By-laws concerning admission to association.

It may also order by by-law that such course shall be followed in any university of this Province to which the college is affiliated or may be affiliated, subject to all the conditions imposed by any such university in the contract of affiliation, and that only the holder of a diploma from such university constituting him an optometrist shall, hereafter, be admitted by the association.” Id., concerning course.

8. Section 4 of the act 6 Edward VII, chapter 89, is replaced by the following: 6 Ed., VII, c. 89, s. 4, replaced.

“4. The said council shall consist of nine members.” Members of council.

9. Section 5 of the act 6 Edward VII, chapter 89, as replaced by the act 4 George V, chapter 120, section 2, is again replaced by the following: 6 Ed. VII, c. 89, s. 5, replaced.

“5. It shall be lawful for the members of the corporation to have general meetings once a year, and also special general meetings as the council may deem advisable from time to time. The annual general meetings shall take place in the city of Montreal or in any other city on the first General annual meetings. Date and place of meetings.

Monday in November of each year or the nearest day thereto as may be decided by the council; and, moreover, upon a written requisition of ten members of the corporation having the right to vote calling upon the council to call a special general meeting of the members of the corporation for the purpose of taking into consideration the objects specified in the requisition, a meeting shall accordingly be convened by the said council within such delay as the latter may deem advisable, after notice thereof and of its object shall have been given, in accordance with the requirements of the by-laws of the corporation."

Calling of special general meetings.

6 Ed. VII, c. 89, s. 6, replaced. **10.** Section 6 of the act 6 Edward VII, chapter 89, is replaced by the following:

Election of members of council.

"**6.** At the general meeting held each year, the members of the corporation shall proceed to elect the members of the council in the manner provided by the by-laws. The members elected shall enter upon their duties on the first of January following."

6 Ed. VII, c. 89, s. 8, replaced. **11.** Section 8 of the act 6 Edward VII, chapter 89, as replaced by the act 9 George V, chapter 129, section 4, is replaced by the following:

Election of president and vice-president.

"**8.** The council shall elect a president and a vice-president from among the members thereof at the first meeting to be held after the selection of the council."

6 Ed. VII, c. 89, s. 12e, replaced. **12.** Section 12e of the act 6 Edward VII, chapter 89, as enacted by the act 9 George V, chapter 129, section 2, is replaced by the following:

Penalty for practise without license.

"**12e.** Any person, other than physicians or surgeons belonging to the College of Physicians and Surgeons of the Province of Quebec, who practises optometry without a license from the association shall be liable to a penalty of fifty dollars for the first offence and of one hundred dollars for any subsequent offence, with costs."

6 Ed. VII, c. 89, s. 14, replaced. **13.** Section 14 of the act 6 Edward VII chapter 89, is replaced by the following:

Short title.

"**14.** This act may be cited as the "Act of The Association of Optometrists and Opticians of the Province of Quebec".

Coming into force. **14.** This act shall come into force on the day of its sanction.