



FOR IMMEDIATE RELEASE

February 25, 2016

College of Opticians of British Columbia

The Court of Appeal for British Columbia Finds in Favour of the College of Opticians of British Columbia

VANCOUVER – The BC Court of Appeal unanimously ruled in favour of the College of Opticians of BC today, which overturns the BC Supreme Court decision made in October 2014. The Court found that the COBC can continue using a third party review of educational programs as a precondition for program recognition. The power to recognize educational programs includes the power to set minimum criteria and procedures for those that seek to be recognized. To find otherwise would undermine the COBC’s mandate to serve and protect the public.

Honourable Madam Justice Neilson released her decision today, which states that the College has the power to “... imply a procedural step as a matter of practical necessity.” Read the full decision [here](#).

At present the COBC requires all educational programs to be reviewed by the National Association of Canadian Optician Regulators (NACOR). From there, the NACOR review, and any other information that the applicant views as pertinent to their application, is distributed to the COBC Board who makes the final decision for program recognition.

Quick Facts

- The College has a duty under the law to protect public safety one aspect of which is to ensure the proper training and education of licensed opticians and contact lens fitters.
- The College does accept applications from graduates of unaccredited students through their Prior Learning Assessment and Recognition (PLAR) program to determine whether or not they meet the entry level requirements for an optician and/or contact lens fitter.

Timeline

- The College has required all opticianry education programs that seek recognition and accreditation to undergo the NACOR accreditation process since 2003.
- B.C. College of Optics Inc. (BCCO) filed a petition against the College for judicial review on July 28, 2009 claiming that the College had established an unlawful precondition for recognition by delegating responsibility to NACOR.
- On September 4, 2009 Madam Justice Satanove dismissed the application arguing that “the order it seeks would effectively guarantee the Petitioner approval of its program, unconditionally and in perpetuity.”
- BCCO amended its 2009 petition on April 3, 2014 alleging that an exchange with the College regarding accreditation in 2013 constituted an application.



COLLEGE *of* OPTICIANS
OF BRITISH COLUMBIA
a B.C. Health Regulator

- On October 2, 2014 a Supreme Court released its decision in favour of the BCCO and the College filed with the BC Court of Appeal.
- A full hearing was held in the BC Court of Appeal on September 24, 2015.
- The BC Court of Appeal ruled in favour of the College of Opticians of BC on February 23, 2016.