

Status: Point in time view as at 31/10/2012.

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SCHEDULES

SCHEDULE 1 **U.K.**

Sections 1 and 44.

THE GENERAL COUNCIL AND COMMITTEES

PART I **U.K.**

THE GENERAL COUNCIL

Membership: general

- [^{F1}1A. (1) The General Council shall consist of—
- (a) registrant members, that is members who are registered chiropractors; and
 - (b) lay members, that is members who—
 - (i) are not and never have been registered chiropractors, and
 - (ii) do not hold qualifications which would entitle them to apply for registration under this Act.
- (2) The members of the General Council shall be appointed by the Privy Council.
- (3) The Privy Council shall ensure that, at any time, at least one member of the General Council lives or works wholly or mainly in each of England, Scotland, Wales and Northern Ireland.
- ^{F2}(4)

Textual Amendments

- F1** Sch. 1 paras. 1A-1D substituted for Sch. 1 paras. 1-14 and the cross-heading “Membership” before para. 1 (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), [Sch. 4 para. 9\(2\)](#); S.I. 2008/3150, art. 2(2)(a)(i)
- F2** Sch. 1 para. 1A(4) omitted (31.10.2012) by virtue of [Health and Social Care Act 2012 \(c. 7\)](#), s. 306(4), [Sch. 20 para. 6\(e\)](#); S.I. 2012/1831, art. 2(3)

Matters for the order of the Privy Council under section 1(4)

- 1B. (1) An order under section 1(4) shall include provision with regard to—
- (a) the numbers of registrant members and lay members of the General Council;
 - (b) the terms of office for which members of the General Council are appointed, and the order may provide that these are to be determined by the Privy Council, on appointment;
 - (c) the grounds on which persons are to be disqualified from appointment as registrant or lay members of the General Council;

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- (d) the appointment of a chair of the General Council and the chair's term of office, and the order may provide that the term is to be determined by whoever makes the appointment as chair, on appointment;
 - (e) deputising arrangements in respect of the chair;
 - (f) the quorum of the General Council; and
 - (g) the circumstances in which members cease to hold office or may be removed or suspended from office.
- (2) But an order under section 1(4) must not include any provision which would have the effect that a majority of the members of the General Council would be lay members.
- (3) An order under section 1(4) may include provision with regard to—
- (a) the maximum period for which a member of the General Council may hold office as a member during a specified period;
 - (b) the maximum period for which a member of the General Council may serve as chair of the General Council during a specified period;
 - (c) the education and training of members of the General Council, and the order may provide for the General Council to include the requirements with regard to education and training of its members in standing orders, and for those standing orders to provide for—
 - (i) that education and training to be the responsibility of another body, and
 - (ii) those requirements to be set and varied by that body from time to time;
 - (d) the attendance of members of the General Council at meetings of the General Council;
 - (e) the effect (if any) of any vacancy in the membership of the General Council or any defect in the appointment of a member; and
 - (f) enabling the Privy Council to appoint as the chair of the General Council, for a specified period, the person who held office as Chairman of the General Council on the day before the first order under section 1(4) comes into force.
- (4) An order under section 1(4) may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the Privy Council to be necessary or expedient.

Textual Amendments

F1 Sch. 1 paras. 1A-1D substituted for Sch. 1 paras. 1-14 and the cross-heading "Membership" before para. 1 (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), [Sch. 4 para. 9\(2\)](#); S.I. 2008/3150, art. 2(2)(a)(i)

Registration of members' private interests

- 1C. (1) The General Council must establish and maintain a system for the declaration and registration of private interests of its members.
- (2) The General Council must publish in such manner as it sees fit entries recorded in the register of members' private interests.

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Textual Amendments

- F1** Sch. 1 paras. 1A-1D substituted for Sch. 1 paras. 1-14 and the cross-heading “Membership” before para. 1 (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), [Sch. 4 para. 9\(2\)](#); S.I. 2008/3150, art. 2(2)(a)(i)

Duties of co-operation etc.

- 1D. (1) In exercising its functions, the General Council shall—
- (a) have proper regard for—
 - (i) the interests of persons using or needing the services of registered chiropractors in the United Kingdom, and
 - (ii) any differing interests of different categories of registered chiropractors;
 - (b) co-operate, in so far as is appropriate and reasonably practicable, with public bodies or other persons concerned with—
 - (i) the employment (whether or not under a contract of service) of registered chiropractors,
 - (ii) the education or training of chiropractors or other health care professionals,
 - (iii) the regulation of, or the co-ordination of the regulation of, other health or social care professionals,
 - (iv) the regulation of health services, and
 - (v) the provision, supervision or management of health services.
- (2) In carrying out its duty to co-operate under sub-paragraph (1)(b), the General Council shall have regard to any differing considerations relating to practising as a chiropractor which apply in England, Scotland, Wales or Northern Ireland.
- (3) In sub-paragraph (1), “other health care professionals” means persons regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002, other than the General Council.]

Textual Amendments

- F1** Sch. 1 paras. 1A-1D substituted for Sch. 1 paras. 1-14 and the cross-heading “Membership” before para. 1 (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), [Sch. 4 para. 9\(2\)](#); S.I. 2008/3150, art. 2(2)(a)(i)

Powers of the General Council

- 15 (1) Subject to any provision made by or under this Act, the General Council shall have power to do anything which is calculated to facilitate the discharge of its functions or which is incidental or conducive to the discharge of its functions.
- (2) The General Council shall, in particular, have power—
- (a) to borrow;
 - (b) to appoint such staff as it may determine;

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- (c) to pay its staff such salaries as it may determine;
- (d) to pay its staff, and the members of its committees and any of their sub-committees, such allowances and expenses as it may determine;
- (e) to make such provision for the payment of such pensions, allowances or gratuities, or such contributions or payments towards provision for such pensions, allowances or gratuities, to or in respect of its staff as it may determine;
- (f) to pay its members such allowances and expenses as it may determine;
- (g) to establish such sub-committees of any of its committees as it may determine;
- (h) subject to any provision made by or under this Act, to regulate the procedure of any of its committees or their sub-committees;
- (i) to abolish any of its committees, other than a statutory committee, or any sub-committee of any of its committees;
- (j) to delegate to any of its committees any functions of the General Council other than any power to make rules.

[^{F3}(2A) Standing orders of the General Council may make provision with regard to the provisional suspension of a member of the General Council from office, pending the taking of a decision about the suspension or removal from office of the member in accordance with the provisions of an order under section 1(4).]

^{F4}(3)

^{F4}(4)

(5) Subject to any provision made by or under this Act, the General Council may regulate its own procedure.

Textual Amendments

- F3** Sch. 1 para. 15(2A) inserted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(3)(a)**; S.I. 2008/3150, art. 2(2)(a)(i)
- F4** Sch. 1 para. 15(3)(4) omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(3)(b)**; S.I. 2008/3150, art. 2(2)(a)(i)

PART II U.K.

THE STATUTORY COMMITTEES

General

- 16 (1) The members of the statutory committees, other than co-opted members, shall be appointed by the General Council [^{F5}and may be, but are not required to be, appointed] from among the members of the Council.
- (2) The General Council shall make provision by rules as to the procedure for such appointments [^{F6}, and as to the suspension and removal from office of the persons appointed] .

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- [^{F7}(3) The rules may make provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist the General Council in connection with the exercise of any function relating to the appointment of members or particular members of any statutory committee, including any function relating to tenure of office or suspension or removal from office.]

Textual Amendments

- F5** Words in Sch. 1 para. 16(1) inserted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(4)(a)**; S.I. 2008/3150, art. 2(2)(a)(i)
- F6** Words in Sch. 1 para. 16(2) inserted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(4)(b)**; S.I. 2008/3150, art. 2(2)(a)(i)
- F7** Sch. 1 para. 16(3) inserted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(4)(c)**; S.I. 2008/3150, art. 2(2)(a)(i)

- 17 (1) The co-option of any person to any of the statutory committees shall be subject to the approval of the General Council.
- (2) A co-opted member of any of the statutory committees may also be a member of the General Council.
- (3) The term of office of a co-opted member shall not exceed the period of 3 years beginning with the date of his co-option.
- (4) The General Council shall make further provision by rules in relation to co-option, including provision as to the procedure involved.
- 18 A person shall not be prevented from being a member of a statutory committee merely because he has previously been a member of that committee.

Commencement Information

- II** Sch. 1 Pt. II para. 18 wholly in force at 7.9.2000; Sch. 1 Pt. II para. 18 not in force at Royal Assent see s. 44(3)(5)(6); Sch. 1 Pt. II para. 18 in force at 13.5.1999, insofar as it relates to the Education Committee, by [S.I. 1999/1309](#), art. 2, **Sch.**; Sch. 1 Pt. II para. 18 in force insofar as not already in force at 7.9.2000 by [S.I. 2000/2388](#), art. 2, **Sch.**

^{F8}19

Textual Amendments

- F8** Sch. 1 para. 19 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(5)**; S.I. 2008/3150, art. 2(2)(a)(i)

- 20 The General Council may by rules make provision with respect to any sub-committee of a statutory committee including, in particular, provision as to the functions and powers to be conferred on the sub-committee, its composition and its relationship with the statutory committee.

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Commencement Information

- I2** Sch. 1 Pt. II para. 20 wholly in force at 7.9.2000; Sch. 1 Pt. II para. 20 not in force at Royal Assent see s. 44(3)(5)(6); Sch. 1 Pt. II para. 20 in force at 13.5.1999, insofar as it relates to the Education Committee, by S.I. 1999/1309, art. 2, **Sch.**; Sch. 1 Pt. II para. 20 in force insofar as not already in force at 7.9.2000 by S.I. 2000/2388, art. 2, **Sch.**

- 21 (1) The General Council [^{F9}may] make rules regulating the procedure of the statutory committees and their sub-committees (if any) including, in particular, provision as to rules of evidence to be observed in proceedings before any such committee or sub-committee.
- (2) Subject to any provision made by or under this Act, [^{F10}including provision made by standing orders of the General Council by virtue of paragraph 15(2)(h),] each statutory committee and any sub-committee of such a committee may regulate its own procedure.

Textual Amendments

- F9** Word in Sch. 1 para. 21(1) substituted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(6)(a)**; S.I. 2008/3150, art. 2(2)(a)(i)
- F10** Words in Sch. 1 para. 21(2) inserted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(6)(b)**; S.I. 2008/3150, art. 2(2)(a)(i)

Commencement Information

- I3** Sch. 1 Pt. II para. 21 wholly in force at 7.9.2000; Sch. 1 Pt. II para. 21 not in force at Royal Assent see s. 44(3)(5)(6); Sch. 1 Pt. I para. 21(2) in force at 13.5.1999 insofar as it relates to the Education Committee, by S.I. 1999/1309, art. 2, **Sch.**; Sch. 1 Pt. II para. 21 in force insofar as not already in force at 7.9.2000 by S.I. 2000/2388, art. 2, **Sch.**

- 22 (1) If it appears to the General Council that any statutory committee is failing to perform its functions adequately, the General Council may give a direction as to the proper performance of those functions.
- (2) Where the General Council, having given a direction under sub-paragraph (1), is satisfied that the committee has failed to comply with the direction, it may exercise any power of that committee or do any act or other thing authorised to be done by that committee.

Commencement Information

- I4** Sch. 1 Pt. II para. 22 wholly in force at 7.9.2000; Sch. 1 Pt. II para. 22 not in force at Royal Assent see s. 44(3)(5)(6); Sch. 1 Pt. I para. 22 in force at 13.5.1999, insofar as it relates to the Education Committee, by S.I. 1999/1309, art. 2, **Sch.**; Sch. 1 Pt. II para. 22 in force insofar as not already in force at 7.9.2000 by S.I. 2000/2388, art. 2, **Sch.**

- 23 (1) The powers of any statutory committee may be exercised even though there is a vacancy among its members.

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(2) No proceedings of a statutory committee shall be invalidated by any defect in the appointment of a member.

Commencement Information

I5 Sch. 1 Pt. II para. 23 wholly in force at 7.9.2000; Sch. 1 Pt. II para. 23 not in force at Royal Assent see s. 44(3)(5)(6); Sch. 1 Pt. II para. 23 in force at 13.5.1999, insofar as it relates to the Education Committee, by S.I. 1999/1309, art. 2, Sch.; Sch. 1 Pt. II para. in force insofar as not already in force at 7.9.2000 by S.I. 2000/2388, art. 2, Sch.

24 (1) A person may be a member of more than one statutory committee.

(2) No member of the Professional Conduct Committee or the Health Committee shall take part in dealing with an allegation referred to either committee by another committee if he is also a member of the committee which referred the allegation.

The Education Committee

[^{F11}25 The General Council shall by rules make provision with regard to the constitution of the Education Committee, and those rules shall include provision with regard to—
(a) its size and membership;
(b) its chair, including the deputising arrangements for its chair; and
(c) the quorum at its meetings.]

Textual Amendments

F11 Sch. 1 para. 25 substituted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(7)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F12}26

Textual Amendments

F12 Sch. 1 para. 26 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(8)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F13}27

Textual Amendments

F13 Sch. 1 para. 27 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(8)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F14}28

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Textual Amendments

F14 Sch. 1 para. 28 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(8)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F15}29

Textual Amendments

F15 Sch. 1 para. 29 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(8)**; S.I. 2008/3150, art. 2(2)(a)(i)

The Investigating Committee

[^{F16}30 The General Council shall by rules make provision with regard to the constitution of the Investigating Committee, and those rules shall include provision with regard to—

- (a) its size and membership;
- (b) its chair, including the deputising arrangements for its chair; and
- (c) the quorum at its meetings.]

Textual Amendments

F16 Sch. 1 para. 30 substituted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(9)**; S.I. 2008/3150, art. 2(2)(a)(i)

[^{F17}30A. Where rules under paragraph 30 provide for one or more panels of members of the Investigating Committee to perform functions of the Committee, the provision required by paragraph 30(c) includes provision with regard to the quorum at meetings of those panels.]

Textual Amendments

F17 Sch. 1 para. 30A inserted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(f), **Sch. 5 para. 2(a)** (with arts. 9, 10)

^{F18}31

Textual Amendments

F18 Sch. 1 para. 31 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(10)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F19}32

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Textual Amendments

F19 Sch. 1 para. 32 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(10)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F20}33

Textual Amendments

F20 Sch. 1 para. 33 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(10)**; S.I. 2008/3150, art. 2(2)(a)(i)

The Professional Conduct Committee

[^{F21}34 The General Council shall by rules make provision with regard to the constitution of the Professional Conduct Committee, and those rules shall include provision with regard to—

- (a) its size and membership;
- (b) its chair, including the deputising arrangements for its chair; and
- (c) the quorum at its meetings.]

Textual Amendments

F21 Sch. 1 para. 34 substituted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(11)**; S.I. 2008/3150, art. 2(2)(a)(i)

[^{F22}34A. Where rules under paragraph 34 provide for one or more panels of members of the Professional Conduct Committee to perform functions of the Committee, the provision required by paragraph 34(c) includes provision with regard to the quorum at meetings of those panels.]

Textual Amendments

F22 Sch. 1 para. 34A inserted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(f), **Sch. 5 para. 2(b)** (with arts. 9, 10)

^{F23}35

Textual Amendments

F23 Sch. 1 para. 35 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(12)**; S.I. 2008/3150, art. 2(2)(a)(i)

^{F24}36

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Textual Amendments

F24 Sch. 1 para. 36 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(12)**; S.I. 2008/3150, art. 2(2)(a)(i)

F25 37

Textual Amendments

F25 Sch. 1 para. 37 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(12)**; S.I. 2008/3150, art. 2(2)(a)(i)

The Health Committee

[^{F26}38 The General Council shall by rules make provision with regard to the constitution of the Health Committee, and those rules shall include provision with regard to—
(a) its size and membership;
(b) its chair, including the deputising arrangements for its chair; and
(c) the quorum at its meetings.]

Textual Amendments

F26 Sch. 1 para. 38 substituted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(13)**; S.I. 2008/3150, art. 2(2)(a)(i)

[^{F27}38A. Where rules under paragraph 38 provide for one or more panels of members of the Health Committee to perform functions of the Committee, the provision required by paragraph 38(c) includes provision with regard to the quorum at meetings of those panels.]

Textual Amendments

F27 Sch. 1 para. 38A inserted (14.5.2009) by [The Health Care and Associated Professions \(Miscellaneous Amendments and Practitioner Psychologists\) Order 2009 \(S.I. 2009/1182\)](#), art. 1(2)(f), **Sch. 5 para. 2(c)** (with arts. 9, 10)

F28 39

Textual Amendments

F28 Sch. 1 para. 39 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(14)**; S.I. 2008/3150, art. 2(2)(a)(i)

F29 40

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Textual Amendments

F29 Sch. 1 para. 40 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(14)**; S.I. 2008/3150, art. 2(2)(a)(i)

F30 41

Textual Amendments

F30 Sch. 1 para. 41 omitted (9.7.2008 for specified purposes, 9.2.2009 in so far as not already in force) by virtue of [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), **Sch. 4 para. 9(14)**; S.I. 2008/3150, art. 2(2)(a)(i)

PART III U.K.

TRANSITIONAL PROVISIONS

The initial membership of the General Council

42 When first constituted, the membership of the General Council shall be determined in accordance with the provisions of this Schedule as modified by this Part.

The transitional periods

43 In this Part—
“the three year transitional period” means the period beginning with the passing of this Act and ending with the third anniversary of the opening of the register;
“the four year transitional period” means the period beginning with the passing of this Act and ending with the fourth anniversary of the opening of the register; and
“the five year transitional period” means the period beginning with the passing of this Act and ending with the fifth anniversary of the opening of the register.

The chiropractic members

44 (1) During the three year transitional period, paragraph 1(a) shall have effect as if it provided for the appointment of 10 members by the Privy Council.
(2) Each of those members shall be appointed by the Privy Council after consultation with bodies in the United Kingdom appearing to the Privy Council to represent practising chiropractors.
(3) When appointing any such member the Privy Council shall designate him as a person appointed as one of the 10 members provided for by paragraph 1(a) (as modified by this paragraph).
(4) In this paragraph “chiropractic member” means a member designated under this paragraph.

Status: Point in time view as at 31/10/2012.

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- (5) Each of the chiropractic members shall, at the time of his appointment, be a person appearing to the Privy Council to be a practising chiropractor.
- (6) Paragraph 6 shall not apply to any of the chiropractic members.
- (7) Subject to paragraphs 4, 5 and 7, the term of office of each of the chiropractic members shall end at the end of the three year transitional period.

The lay members

- 45 (1) The members appointed by the Privy Council under paragraph 1(b) during the five year transitional period shall each be designated by the Privy Council as a person appointed under paragraph 1(b).
- (2) In this Part “lay member” means a member designated under this paragraph.
- (3) Paragraph 11 shall have effect during the five year transitional period as if “registered chiropractors” and “registered chiropractor” read, respectively, “persons appearing to the Privy Council to be practising chiropractors” and “a person appearing to the Privy Council to be a practising chiropractor”.
- (4) Subject to paragraphs 4 to 7, the term of office of each of the lay members shall end at the end of the five year transitional period.

The education members

- 46 (1) During the four year transitional period, paragraph 1(c) shall have effect as if it provided for the appointment of 3 members by the Privy Council.
- (2) Each of those members shall be appointed by the Privy Council after consultation with the Secretary of State.
- (3) When appointing any such member the Privy Council shall designate him as a person appointed as one of the 3 members provided for by paragraph 1(c) (as modified by this paragraph).
- (4) The 3 education members shall be persons appearing to the Privy Council to be qualified to advise the General Council on matters relating to education and training in chiropractic.
- (5) In this paragraph “education member” means a member designated under this paragraph.
- (6) Paragraph 6 shall not apply to any of the education members.
- (7) Subject to paragraphs 4 to 7, the term of office of each of the education members shall end at the end of the four year transitional period.

The Secretary of State’s nominee

- 47 Subject to paragraphs 4, 5 and 7, the term of office of any person appointed by the Secretary of State under paragraph 1(d) during the four year transitional period shall come to an end at the end of that period.

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Appointment of first Chairman

- 48 (1) The first Chairman of the General Council shall be appointed by the Privy Council from among the lay members to serve as such until the end of the first meeting of the Council to be held after the first election of members under paragraph 1(a).
- (2) If a person appointed as Chairman of the Council during the three year transitional period fails to serve his full term of office as Chairman, his successor as Chairman shall be appointed by the Privy Council from among the lay members for the residue of the unexpired term.
- (3) Paragraph 14(3) shall have effect in relation to any Chairman appointed by the Privy Council under this paragraph as if for paragraph (c) there were substituted—
- “(c) his removal by the Privy Council, where the Privy Council agrees to a request for his removal made by a majority of the other members of the General Council;”.
- (4) Paragraph 14(3)(d) shall not apply in relation to any person serving as the Chairman appointed by the Privy Council under this paragraph.

SCHEDULE 2 U.K.

Section 42.

AMENDMENTS OF THE OSTEOPATHS ACT 1993

- 1 (1) In section 9 of the ^{M1}Osteopaths Act 1993 (access to the register etc.), in subsection (1), the words from “and” at the end of paragraph (a) to the end of paragraph (b) are hereby repealed.
- (2) After subsection (1) of that section insert—
- “(1A) The General Council shall—
- (a) before the end of the period of twelve months which begins on the date on which the register is opened, and
- (b) at least once in every subsequent period of twelve months which begins on the anniversary of that date,
- publish a list (referred to in this section as the “published register”), giving the names and registered addresses of those who, at the date of publication, are registered osteopaths.
- (1B) The published register shall also contain, in respect of each registered osteopath, such other information, derived from the register, as may, by rules made by the General Council, be determined to be appropriate for publication.
- (1C) Any osteopath whose registration has been suspended shall, for the period of his suspension, cease to be a registered osteopath for the purposes of subsections (1A) and (1B).”
- (3) In subsection (3) of that section, after “copies of the” insert “ published ”.

Marginal Citations

M1 1993 c. 21.

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- 2 In section 13 (the standard of proficiency)—
- (a) in subsection (3), omit “ — (a) ” ,and for “standard; and (b)” at the end of paragraph (a) substitute “ standard, accompanied by ”; and
- (b) in subsection (4), for “statement” substitute “ statements ”.
- 3 (1) In section 18 (information to be given by institutions)—
- (a) in subsection (3) for “the Council” (in both places) substitute “ the Committee ”; and
- (b) in subsections (3) and (4) for “General Council” substitute “ Education Committee ”.
- (2) For subsection (5) of that section substitute—
- “(5) Where an institution refuses any reasonable request for information made by the Education Committee under this section, the Committee may recommend to the General Council that recognition of the qualification in question be either—
- (a) refused, or
- (b) withdrawn.
- (6) Where a recommendation is made to the General Council under subsection (5), the Council may—
- (a) in a case to which subsection (5)(a) applies, refuse to recognise the qualification under section 14; or
- (b) in a case to which subsection (5)(b) applies, give a direction under section 16(2) (with the required approval of the Privy Council) in respect of the qualification.”
- 4 In subsection (10) of section 20 (professional conduct and fitness to practise), for “may” substitute “ shall ”.
- 5 (1) After subsection (4) of section 22 (consideration of allegations by the Professional Conduct Committee) insert—
- “(4A) A conditions of practice order must specify one or both of the following—
- (a) the period for which the order is to have effect;
- (b) a test of competence which must be taken by the osteopath.”
- (2) In subsection (5)(a) of that section the words “for the purposes of this subsection” are hereby repealed.
- 6 In sections 27 (legal assessors) and 28 (medical assessors), in subsection (2)—
- (a) the word “or” at the end of paragraph (c) is hereby repealed; and
- (b) at the end of paragraph (d) insert “or
- (e) the Registrar,”.
- 7 In section 30 (appeals against decisions of the Health Committee), in subsection (12) for “under” substitute “ by virtue of ”.
- 8 In section 31 (appeals against decisions of the Professional Conduct Committee and appeal tribunals)—
- (a) in subsection (1)(a) after “section” insert “ 8 or ”; and
- (b) in subsection (7) for “the Health Committee” substitute “ an appeal tribunal ”.

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- 9 In section 41 (interpretation), for the definition of “registered address” substitute—
- ““registered address” means the address which is entered in the register, in relation to the osteopath in question, in accordance with the requirements of section 6(1) and does not include any other address which may be entered in the register, in relation to him, by virtue of rules made under section 6(2);”.
- 10 (1) The Schedule (the General Council and its committees) is amended as follows.
- (2) In paragraph 15, after paragraph (e) insert—
- “(ee) to pay its members such allowances and expenses as it may determine;”.
- (3) In paragraph 21(2), for the words from “rules made” to “paragraph 15(2)(g)” substitute “provision made by or under this Act”.
- (4) Paragraph 15 shall be deemed always to have had effect as amended by sub-paragraph (2).

Commencement Information

16 Sch. 2 para. 10(2)(4) retrospective amendment

Status:

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