
STATUTORY INSTRUMENTS

1999 No. 1767 (C. 49)

OSTEOPATHS

The Osteopaths Act 1993 (Commencement No. 4) Order 1999

Made - - - - *21st June 1999*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 42(2) and (4) of the Osteopaths Act 1993(1), hereby makes the following Order:–

Citation and interpretation

- 1.—(1) This Order may be cited as the Osteopaths Act 1993 (Commencement No. 4) Order 1999.
(2) In this Order, “the Act” means the Osteopaths Act 1993.

Appointed Day

2. 5th July 1999 is the day appointed for the coming into force of the following provisions of the Act and, save as provided below, those provisions shall come into force on that day for all purposes–

- (a) in section 1 (the general council and its committees)–
 - (i) subsection (5)(b) so far as not yet in force, and
 - (ii) subsections (7) and (9), so far as they relate to the other provisions of the Act brought into force by this Order;
- (b) in section 7 (suspension of registration), subsections (1) and (2), so far as they relate to the other provisions of the Act brought into force by this Order;
- (c) section 10 (fraud or error in relation to registration), so far as not yet in force, with the exception, in subsection (2), of the words “or section 8, or under rules made by virtue of section 8(8),”;
- (d) section 20 (professional conduct and fitness to practise);
- (e) section 21 (interim suspension powers of the investigating committee);
- (f) section 27 (legal assessors);
- (g) section 28 (medical assessors);
- (h) section 41 (interpretation), so far as not yet in force; and
- (i) in the Schedule (the general council and its committees)–

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- (i) in relation to the Investigating Committee only, paragraphs 16 to 24(1), so far as not yet in force, and
- (ii) paragraphs 30 to 33, so far as not yet in force.

Frank Dobson
One of Her Majesty's Principal Secretaries of
State,
Department of Health

21st June 1999

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 5th July 1999 certain provisions of the Osteopaths Act 1993 (“the Act”), for the purposes of—

enabling the Registrar of the General Osteopathic Council (“the GOsC”), to investigate and deal with fraudulently obtained and incorrect entries in the register of osteopaths (section 10); and

enabling the Investigating Committee of the GOsC to investigate allegations relating to a registered osteopath’s fitness to practise and to suspend the osteopath’s registration, for a period not exceeding two months, if it considers it necessary to do so in order to protect members of the public (sections 1(5)(b), (7) and (9), 7(1) and (2), 20 and 21).

The Order also brings into force the following provisions of the Act—

sections 27 and 28, which provide for the appointment by the GOsC of (respectively) legal and medical assessors with functions as set out in those sections;

section 41, in respect of certain remaining definitions; and

certain provisions of the Schedule so far as they relate to the Investigating Committee.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1)	14th January 1997	1997/34
Section 1(2)	14th January 1997 (partially) and 9th May 1998 (remainder)	1997/34 and 1998/1138
Section 1(3) (partially)	14th January 1997, 1st April 1998 and 9th May 1998	1997/34, 1998/872 and 1998/1138
Section 1(4) (partially)	14th January 1997 and 1st April 1998	1997/34 and 1998/872
Section 1(5) (partially)	1st April 1998	1998/872
Section 1(6)	1st April 1998	1998/872
Section 1(7) (partially)	1st April 1998	1998/872
Section 1(8)	14th January 1997	1997/34
Section 1(9) (partially)	1st April 1998	1998/872
Section 1(10) to (12)	14th January 1997	1997/34

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 2	14th January 1997 (partially) and 9th May 1998 (remainder)	1997/34 and 1998/1138
Section 3	1st April 1998 (partially) and 9th May 1998 (remainder)	1998/872 and 1998/1138
Section 4	1st April 1998 (partially) and 9th May 1998 (remainder)	1998/872 and 1998/1138
Section 6	1st April 1998 (partially) and 9th May 1998 (remainder)	1998/872 and 1998/1138
Section 9 (partially)	9th May 1998	1998/1138
Section 10(1)	9th May 1998	1998/1138
Section 11	1st April 1998	1998/872
Section 12	9th May 1998	1998/1138
Section 13	1st April 1998	1998/872
Sections 14 to 16	9th May 1998	1998/1138
Section 18	9th May 1998	1998/1138
Section 19	1st April 1998	1998/872
Section 29	9th May 1998	1998/1138
Section 33	9th May 1998	1998/1138
Section 34	14th January 1997	1997/34
Section 35(1), (2) and (4)	14th January 1997	1997/34
Section 36(1), (2), (4), (5) and (6)	14th January 1997	1997/34
Section 37	1st April 1998	1998/872
Section 38	9th May 1998	1998/1138
Section 39	1st April 1998	1998/872
Section 40	14th January 1997	1997/34
Section 41 (partially)	14th January 1997 and 1st April 1998	1997/34 and 1998/872
Section 42	14th January 1997 (partially) and 9th May 1998 (remainder)	1997/34 and 1998/1138
In the Schedule— in Part I—		
paragraphs 1, 2, 4, 5, 6, 8, 11, 13 and 14(2)	14th January 1997	1997/34
paragraph 14(3) (partially)	14th January 1997	1997/34
paragraph 14(5) (partially)	1st April 1998	1998/872

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraph 15 in Part II–	14th January 1997	1997/34
paragraphs 16 to 21 and 23 to 24(1) (partially)	1st April 1998	1998/872
paragraphs 25 to 29	1st April 1998	1998/872
paragraphs 30 to 41 (partially)	1st April 1998	1998/872
Part III	14th January 1997	1997/34