



# Osteopaths Act 1993

## 1993 CHAPTER 21

### *Appeals*

#### **31 Appeals against decisions of the Professional Conduct Committee and appeal tribunals.**

- (1) Any person with respect to whom—
  - (a) a decision of the Professional Conduct Committee is made under section [<sup>F1</sup>8 or]22, or
  - (b) a decision is made by an appeal tribunal hearing an appeal under section 30, may, before the end of the period of 28 days beginning with the date on which notification of the decision is sent to him, appeal against it in accordance with the provisions of this section.
- (2) No such decision shall have effect—
  - (a) before the expiry of the period within which an appeal against the decision may be made; or
  - (b) where an appeal against the decision has been duly made, before the appeal is withdrawn or otherwise disposed of.
- (3) An appeal under this section shall lie to Her Majesty in Council.
- (4) An appeal under subsection (1)(b) may only be on a point of law.
- (5) Any such appeal shall be dealt with in accordance with rules made by Her Majesty by Order in Council for the purposes of this section.
- (6) On an appeal under this section, the General Council shall be the respondent.
- (7) The <sup>M1</sup>Judicial Committee Act 1833 shall apply in relation to the Professional Conduct Committee, [<sup>F2</sup>an appeal tribunal] and the General Council as it applies in relation to any court from which an appeal lies to Her Majesty in Council.
- (8) Without prejudice to the application of that Act, on an appeal under this section to Her Majesty in Council, the Judicial Committee may in their report recommend to Her Majesty in Council—

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*Status: Point in time view as at 08/03/2000. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Osteopaths Act 1993, Section 31. (See end of Document for details)*

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- (a) that the appeal be dismissed;
- (b) that the appeal be allowed and the decision questioned by the appeal quashed;
- (c) that such other decision as the Professional Conduct Committee or (as the case may be) Health Committee could have made be substituted for the decision questioned by the appeal; or
- (d) that the case be remitted to the Committee or appeal tribunal concerned to be disposed of in accordance with the directions of the Judicial Committee.

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#### **Textual Amendments**

**F1** Words in s. 31(1)(a) inserted (5.7.1994) by 1994 c. 17, s. 42, **Sch. 2 para. 8(a)**

**F2** Words in s. 31(7) substituted (5.7.1994) by 1994 c. 17, s. 42, **Sch. 2 para. 8(b)**

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#### **Marginal Citations**

**M1** 1833 c. 41.

**Status:**

Point in time view as at 08/03/2000. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Osteopaths Act 1993, Section 31.