



# 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 [<sup>F2</sup>served on him, appeal against it to the relevant court.]

[<sup>F3</sup>(1A) In subsection (1), “the relevant court”—

- (a) in the case of a person whose address in the register is (or if he were registered would be) in Scotland, means the Court of Session,
- (b) in the case of a person whose address in the register is (or if he were registered would be) in Northern Ireland, means the High Court of Justice in Northern Ireland, and
- (c) in the case of any other person, means the High Court of Justice in England and Wales.]

(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- (b) where an appeal against the decision has been duly made, before the appeal is withdrawn or otherwise disposed of.

<sup>F4</sup>(3) .....

<sup>F4</sup>(4) .....

<sup>F4</sup>(5) .....

(6) On an appeal under this section, the General Council shall be the respondent.

*Status: Point in time view as at 01/04/2003.*

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

<sup>F5</sup>(7) .....

[<sup>F6</sup>(8) On an appeal under this section, the court may—

- (a) dismiss the appeal,
- (b) allow the appeal and quash the decision appealed against,
- (c) substitute for the decision appealed against any other decision which could have been made by the Professional Conduct Committee or (as the case may be) Health Committee, or
- (d) remit the case to the Committee or appeal tribunal concerned to dispose of the case in accordance with the directions of the court,

and may make such order as to costs (or, in Scotland, expenses) as it thinks fit.]

#### 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(1) substituted (1.4.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), **ss. 33(6)(a)**, 42(3); S.I. 2003/833, art. 3(a) (with art. 4)
- F3** S. 31(1A) inserted (1.4.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), **ss. 33(6)(b)**, 42(3); S.I. 2003/833, art. 3(a) (with art. 4)
- F4** S. 31(3)-(5) repealed (1.4.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), **ss. 33(6)(c)**, 42(3), **Sch. 9 Pt. 2**; S.I. 2003/833, art. 3(a)(c) (with art. 4)
- F5** S. 31(7) repealed (1.4.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), **ss. 33(6)(c)**, 42(3), **Sch. 9 Pt. 2**; S.I. 2003/833, art. 3(a)(c) (with art. 4)
- F6** S. 31(8) substituted (1.4.2003) by National Health Service Reform and Health Care Professions Act 2002 (c. 17), **ss. 33(6)(d)**, 42(3); S.I. 2003/833, art. 3(a) (with art. 4)

**Status:**

Point in time view as at 01/04/2003.

**Changes to legislation:**

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