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STATUTORY INSTRUMENTS

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**1998 No. 1018**

**OSTEOPATHS**

**The General Osteopathic Council (Transitional  
Period) (Application for Registration  
and Fees) Rules Order of Council 1998**

*Made* - - - - *30th March 1998*  
*Coming into force* - - *1st April 1998*

At the Council Chamber, Whitehall, the 30th day of March 1998  
By the Lords of Her Majesty's Most Honourable Privy Council

Whereas in pursuance of sections 3(2)(a) and (5), 4(2)(a) and (9) and 6 of the Osteopaths Act 1993<sup>(1)</sup> the General Osteopathic Council have made the General Osteopathic Council (Transitional Period) (Application for Registration and Fees) Rules 1998 as set out in the Schedule to this Order:

And whereas by section 35(1) of the said Act such rules shall not have effect until approved by the Privy Council:

Now, therefore, Their Lordships, having taken the said Rules into consideration, are pleased to, and do hereby, approve the same.

This Order may be cited as the General Osteopathic Council (Transitional Period) (Application for Registration and Fees) Rules Order of Council 1998 and shall come into force on 1st April 1998.

*N. H. Nicholls*  
Clerk of the Privy Council

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## SCHEDULE

### THE GENERAL OSTEOPATHIC COUNCIL (TRANSITIONAL PERIOD) (APPLICATION FOR REGISTRATION AND FEES) RULES 1998

The General Osteopathic Council, in exercise of their powers under sections 3(2)(a) and (5), 4(2)(a) and (9) of the Osteopaths Act 1993(2), and of all other powers enabling them in that behalf, hereby make the following Rules:

## PART I

### *Introduction*

#### **Citation and commencement**

1. These Rules may be cited as the General Osteopathic Council (Transitional Period) (Application for Registration and Fees) Rules 1998 and shall come into force on 1st April 1998.

#### **Interpretation**

2.—(1) In these Rules, unless the context otherwise requires—

“the Act” means the Osteopaths Act 1993; and

“applicant” means a person applying to be registered.

(2) In these Rules, any reference to the sending of a document is a reference to sending it by post and the document shall be treated as having been sent on the day that it was posted.

(3) Unless the context otherwise requires, a reference—

(a) in these Rules

(i) to a numbered rule is a reference to the rule bearing that number in these Rules;

(ii) to a numbered schedule is a reference to the Schedule bearing that number in these Rules; and

(b) in a rule to a numbered paragraph is a reference to the paragraph bearing that number in that rule.

## PART II

### *Application for Registration during the Transitional Period*

#### **Application for registration as a registered osteopath**

3.—(1) An application for registration as a registered osteopath made during the transitional period shall be—

(a) in writing;

(b) on the form specified in Schedule 1;

(c) completed and signed by the applicant; and

(d) given or sent to the Registrar.

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(2) 1993 c. 21, amended by the Chiropractors Act 1994 (c. 17), Schedule 2.

- (2) The applicant shall provide in connection with the application for registration—
- (a) a character reference, that is a reference as to the good character of the applicant given on the form specified in Part 1 of Schedule 2 by a person who
    - (i) is not a relative of the applicant;
    - (ii) is a person of standing in the community and includes a solicitor, accountant, bank manager, Justice of the Peace, Minister of the Church, Rabbi, Imam or other religious official acceptable to the Registrar; and
    - (iii) has known the applicant for a period of at least four years;
  - (b) subject to paragraph (3), a health reference, that is, a reference as to the physical and mental health of the applicant given on the form specified in Part II of Schedule 2 by the applicant's doctor provided—
    - (i) he is not a relative of the applicant; and
    - (ii) he has known the applicant for a period of at least four years;
  - (c) the document (if any) conferring or evidencing the possession by the applicant of a qualification in osteopathy;
  - (d) evidence acceptable to the Registrar that he has spent a substantial part of his working time in the lawful, safe and competent practice of osteopathy for a period of at least—
    - (i) 5 years (which need not be continuous) where he is applying to be registered as a fully registered osteopath; or
    - (ii) 4 years (which need not be continuous) where he is applying to be registered as a conditionally registered osteopath.
  - (e) such other information and documents as the Registrar may reasonably require for the purpose of determining the application.
- (3) Where the Registrar is satisfied that the applicant cannot provide a health reference in the terms provided by Rule 3(2)(b) for whatever reason, then the Registrar may satisfy himself as to the mental and physical health of the applicant in any of the following ways:
- (a) a reference given by a doctor who, in giving the reference, relies on the medical records of the applicant made by a doctor of whom the applicant was a patient for the requisite period, or the records of a doctor who has practised in partnership with that doctor;
  - (b) an examination by a doctor nominated by the Registrar; or
  - (c) such other manner as the Registrar considers appropriate in a particular case.

#### **Lawful, safe and competent practice**

4.—(1) The question whether an applicant has spent any part of his working time in the lawful, safe and competent practice of osteopathy shall be determined in accordance with the following provisions of this rule.

- (2) An applicant shall be taken to have been practising osteopathy for the number of years that—
- (a) he has been registered on a professional register; or
  - (b) he has maintained professional indemnity insurance in respect of his osteopathic practice; or
  - (c) it is stated in a professional status reference that he has been practising osteopathy;
- whichever is the longest period.

(3) Where

- (a) an applicant has practised osteopathy outside the United Kingdom; and

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- (b) where the practice of osteopathy in that place was prohibited unless legal requirements relating to the practice of osteopathy were complied with; and
- (c) any part of the period during which he practised there is included in the period referred to in Rule 3(2)(d)

the Registrar shall not be satisfied that the applicant has spent working time in the lawful practice of osteopathy unless the applicant satisfies the Registrar that he has complied with those legal requirements.

(4) For the purpose of satisfying himself as to whether the applicant has practised osteopathy safely, the Registrar shall, without prejudice to any other matters which appear to him to be relevant in any particular case, have regard to any of the following of which he is aware—

- (a) a complaint made to the professional regulatory body (if any) on whose register, roll or list the name of the applicant is or has been entered;
- (b) a claim made under a contract of insurance providing professional indemnity to the applicant;
- (c) proceedings brought against the applicant in connection with his practice of osteopathy.

(5) For the purpose of satisfying the Registrar that he has practised osteopathy competently, the applicant shall complete all sections of the questionnaire provided by the General Council in connection with applications made during the transitional period for registration as a registered osteopath or such parts of the questionnaire as the Registrar may direct.

(6) In determining whether an applicant has practised osteopathy competently, the Registrar shall have regard to—

- (a) the completed questionnaire referred to in paragraph (5) or such part of the questionnaire that the Registrar has directed shall be completed;
- (b) the required standard of proficiency; and
- (c) such other matters as appear to him to be relevant

and for this purpose the Registrar may obtain information additional to that provided with the application for registration and in the questionnaire from both the applicant and from any other person or source as the Registrar considers appropriate and may require the applicant to be interviewed or to be visited at any place where he practises osteopathy by a person nominated by the Registrar.

### **Other conditions of registration**

5.—(1) For the purpose of satisfying himself as to the good character of the applicant, the Registrar shall have regard to—

- (a) the character reference referred to in rule 3(2)(a);
- (b) any criminal offence for which the applicant has been convicted;
- (c) such other matters as appear to him to be relevant

and for this purpose the Registrar may seek information additional to that provided with the application for registration from both the applicant and from any other person or source as the Registrar considers appropriate.

(2) For the purpose of satisfying himself as to the physical and mental health of the applicant, the Registrar shall have regard to—

- (a) the health reference referred to in rule 3(2)(b);
- (b) such other matters as appear to him to be relevant

and for this purpose the Registrar may seek information additional to that provided with the application for registration from both the applicant and from any other person or source as the Registrar considers appropriate and may require the applicant to be examined by a doctor nominated by the Registrar.

### **Interpretation of Part II of these Rules**

6. In this Part of these Rules—

“doctor” means a registered medical practitioner;

“professional register” means a register, roll or list of persons practising osteopathy kept by a professional regulatory body;

“professional regulatory body” means a body, whether incorporated or not, which keeps a register of persons who have satisfied the body, by means of the passing of an examination or any other means, that they are competent to practise osteopathy;

“professional status reference” means a reference as to the number of years a person has been practising osteopathy given in a statutory declaration or affidavit by a doctor, bank manager, Justice of the Peace, accountant or solicitor;

“relative”, in relation to any person, means any of the following—

- (a) his spouse;
  - (b) any lineal ancestor, linear descendant, brother, sister, aunt, uncle, nephew, niece, or first cousin of his or of his spouse; and
  - (c) the spouse of any relative within paragraph (b) above; and
- for the purpose of deducing any such relationship, “spouse” includes a former spouse and an unmarried partner of the same or of the opposite sex.

## **PART III**

### *Fees During the Transitional Period*

#### **Expression of interest fee**

7. The fee to be charged for sending all the following documents—

- (a) an application form (specified in Schedule 1); and
- (b) the questionnaire referred to in rule 4(5); and
- (c) the forms for providing character and health references (specified in Schedule 2)

to a person during the transitional period (“the expression of interest fee”) shall be £150.

#### **Scrutiny fee**

8.—(1) Except where rule 10(1)(c) applies, the fee to be charged for scrutinising an application for registration as a registered osteopath made during the transitional period (“the scrutiny fee”) shall be £350.

- (2) Where rule 10(1)(c) applies, the scrutiny fee shall be £175.

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### **Entry fee**

9.—(1) Except where one or more of the circumstances specified in rule 10(1) apply, the fee to be charged for making an entry in the register in respect of a person who has made an application for registration as a registered osteopath during the transitional period (“the entry fee”) shall be £1,000.

(2) Where one or more of the circumstances specified in rule 10 apply, the entry fee shall be £500.

(3) Where the Registrar refuses to enter an applicant’s name in the register, the entry fee shall not be payable.

### **Reduced fees**

10.—(1) The circumstances referred to in rules 9(1) and (2) are that—

- (a) the applicant does not, on the date that entry is to be made in the register, intend to practise as an osteopath during the remainder of the transitional period;
- (b) the applicant resides outside the United Kingdom, or other European Economic Area State or the Channel Islands or the Isle of Man; or
- (c) the date on which the application for registration is made is a date that is less than one year after the date on which the applicant received a qualification in osteopathy which has not been refused recognition by the General Council.

(2) In this rule—

“European Economic Area State” means a state which is a contracting party to the European Economic Area Agreement and the European Economic Area Agreement means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992<sup>(3)</sup>, as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>(4)</sup>.

### **Restoration fee**

11. The fee to be charged for restoring an entry in the register during the transitional period (“the restoration fee”) shall be £200.

### **Time for payment of fees**

12. The time for the payment of—

- (a) the expression of interest fee shall be at the time a person asks the Registrar to send him the documents referred to in rule 7;
- (b) the scrutiny fee shall be at the time an application for registration is made;
- (c) the entry fee shall be after the Registrar has sent an applicant notice that his application for registration has been accepted.

### **Entry in the register and payment of fees**

13. The Registrar shall refuse to make an entry in the register in respect of a person who has made an application for registration as a registered osteopath during the transitional period unless the fees specified in rules 7, 8 and 9 have been paid and shall refuse to restore an entry to the register unless the fee specified in rule 11 has been paid.

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<sup>(3)</sup> Command 203/2073 and OJNo. L1. p.3.

<sup>(4)</sup> Command 2183 and OJ No. L1. p.572.

SCHEDULE 1

Rule 3(1)(b)

APPLICATION FORM

**Application for Registration with the General Osteopathic Council**

Ref:

**Rule 3 (1) (b) (Application for Registration during the Transitional Period)**

This Application Form is designed to meet the Rules made pursuant to the Osteopaths Act 1993 which state that an application for registration during the transitional period shall be in writing and on the forms specified by these Rules, and that sufficient information be provided to the Registrar so that she can properly determine an application for registration in accordance with the requirements of the Osteopaths Act.

*The transitional period means the period of 2 years beginning with the opening of the Register.*

Accompanying this form are two further forms requesting references in support of your application - a health reference and a character reference. In order to process your application as speedily as possible you should ensure that these two reference forms are completed and returned to us without delay. Each referee should be instructed to return the form directly, in confidence, to the General Osteopathic Council (GOsC) in the self-addressed envelope provided for this purpose.

*Your character and health references must not be provided by the same person.*

Applicants are reminded that any entry to the Register which is fraudulently procured will result in an investigation by the Registrar who will make a report to the General Council. Any such fraudulently procured registration may result in your immediate suspension from the Register and/or the initiation of criminal proceedings.

*In the event of any visit, your obligations in respect of patient confidentiality will be respected.*

I declare that all information supplied in support of my application to register with the GOsC is, to the best of my knowledge, accurate and true. I understand that the Registrar may take steps to verify any information supplied by me in support of my application. I further understand that this may include a visit to my principal practice and in the event any such visit is sought, I agree to cooperate fully.

Signed: ..... Date: .....

Check-box for return of the first stage of your application to register (please use the envelope provided):

- 1. The completed Application Form
- 2. The completed Professional Profile (Sections 1, 2 and 3)
- 3. A signed and dated cheque for the fee of £350/£175 made payable to the General Osteopathic Council or the completed credit/debit card section below.
- 4. Photocopies of your insurance certificates for the past 7 years (or less where applicable), a note from your insurer confirming this cover, as evidence of your time in practice OR documentary evidence of being registered on a professional register for the required time.

Your Portfolio can then be sent on later, to allow you more time.

**Payment details**

1. I enclose a cheque/postal order made payable to the General Osteopathic Council for the sum of £350/£175\*

OR

2. Please debit my credit/debit card for the sum of £350/£175\*.

Credit cards: Visa  Mastercard  Debit card: Delta  Switch

Card No.:

Name on card: ..... Expiry date: .....

Signed: ..... Date: .....

Please tick if you require a receipt:

*\*If you are applying within 12 months of qualifying as an osteopath you are entitled to a 30% reduction (£175). Please delete as appropriate.*

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**APPLICATION FORM**

Ref:

Please check all printed information for accuracy and amend where necessary. Please note that you must provide an answer to ALL questions. Failure to do so could result in a delay in the processing of your application.

**1. PERSONAL INFORMATION**

Professional name:  Title

Surname (if different):

First name:

Other names in full:

Nationality:  Gender:

Date of birth:  Age on date of application:

Enter M for male or F for female.

**2. APPLICATION FOR FULL OR CONDITIONAL REGISTRATION**

I am applying for full registration and have been practising for 5 years out of the last 7

I am applying for conditional registration and have been practising for 4 years out of the last 6

I am applying for conditional registration and have been practising less than 4 years

Please state the date upon which you began to practise osteopathy:

The Osteopaths Act 1993 distinguishes between an osteopath who has practised for 5 out of the last 7 years (which need not be continuous), and those with less practice experience. In the former case the osteopath is entitled to full registration, and in the latter to conditional registration.

**3. PROFESSIONAL INFORMATION**

Are you currently practising osteopathy? Y/N

Do you intend to practise during the transitional period? Y/N

If No, please state reason eg retired:

Are you a registered medical practitioner? Y/N

If Yes please state your GMC registration number:

**4. PROFESSIONAL EDUCATION**

Place of initial osteopathic education:

Professional and academic qualifications:

Month and year of osteopathic qualification(s):

NB: non-practising status may be subject to verification.

**5. HEALTH AND FITNESS**

Have you ever had any medical problem(s) other than minor illnesses, either physical or mental, which have prevented you from practising osteopathy? Y/N

If Yes, please give details:

I am registered with a General Medical Practitioner and the enclosed health reference will be completed and returned to the GOsC

I am not registered with a General Medical Practitioner and I require further details of how else the Registrar may be satisfied as to my good health

Continue overleaf if necessary.

Please ensure that the enclosed medical reference form is completed.



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**6. PROFESSIONAL INDEMNITY INSURANCE**

Ref:

Are you currently protected by a professional indemnity insurance policy? Y/N

Name of current insurer:

Have you ever been subjected to an increased premium or been quoted professional indemnity insurance on loaded terms? Y/N

Have you ever been denied professional indemnity insurance cover? Y/N

If you know why you were refused insurance or why your premium was loaded, please let us have this information:


Please enclose copies of your policy cover for the last 7 years or length of practice if less. If you cannot do this, you should provide documentary evidence of being registered on a professional register for the required time.

**7. ADDITIONAL INFORMATION - CHARACTER AND PROFESSIONAL DISCIPLINARY RECORDS**

Have you been convicted of a criminal offence? Y/N

If Yes, please complete the following:

Your name(s) when the offence was committed:

Date of conviction    Offence and country where committed    Sentence - please be specific


The profession of registered osteopath is an excepted profession for the purposes of the Rehabilitation of Offenders Act 1974. Therefore, all convictions must be disclosed including those which would otherwise be 'spent'.

Have you ever been a party to civil proceedings relating to your professional practice? Y/N

If Yes, please state the nature of these proceedings and whether any judgement was made against you:

--

Have you ever been struck off any Professional/Regulatory Register? Y/N

If Yes, please give details including Register(s) and date(s):

--

A register means a roll or list of persons kept by a professional regulatory body.

Have there been any other disciplinary findings made against you? Y/N

If Yes, please give details:

--

Are there any unresolved complaints against you? Y/N

If Yes, please complete the following:

Date                      Details of complaint                      Made to which organisation?


We may contact the organisation to verify this information.

Continue overleaf if necessary.

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**g. ADDRESSES**

Ref:

Please check all address information listed and amend, strike through or add addresses as relevant. Also tick the type of address applicable in each case.

Practice name (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Town: \_\_\_\_\_

County: \_\_\_\_\_

Postcode: \_\_\_\_\_

Country: \_\_\_\_\_

Main telephone no: \_\_\_\_\_

Appointments no: \_\_\_\_\_

Emergency no: \_\_\_\_\_

Mobile no: \_\_\_\_\_

Fax: \_\_\_\_\_

Email address: \_\_\_\_\_

Address type:

Do you practise osteopathy at this address?  Principal practice address?

Is this a group osteopathic practice?  Correspondence address?

Is this your home address?

*In each case you should only tick one address from the list as your principal practice and one correspondence address.*

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**SCHEDULE 2**

Rule 3(2)

**REFERENCES**

**PART I**

**FORM FOR GOOD CHARACTER REFERENCE**

*Ref:*

**Osteopaths Act 1993  
Sections 3 (2) (b), 4 (2) (b) and 6 (3) (d)  
Provision of a Character Reference**

The Osteopaths Act 1993 requires that an applicant for registration under the Act must satisfy the Registrar that he/she is of good character before he/she can be registered to practise osteopathy. A reference as to the applicant's character is to be provided on this form by a person of professional standing in the community and includes a solicitor, accountant, bank manager, Justice of the Peace, Minister of the Church, Rabbi, Imam or other religious official acceptable to the Registrar, who is not a relative (either directly, or related by marriage which includes partners) and who has known the applicant for at least four years.

*The Registrar may make further inquiries of the applicant and/or referees if it is deemed necessary to verify or clarify any part of this reference.*

I have known the above named person for ..... years and I know of no reason why he/she should not practise osteopathy with honesty and integrity.

Any additional information:

.....  
.....  
.....

Name (please print):

Occupation:

Practice or

Business address:

Telephone:

.....  
.....  
.....  
.....  
.....  
.....

Please state in what capacity the applicant is known to you:

Signed: .....

Date: .....

In providing this reference you are reminded of the importance of ensuring that all statements contained in this reference are true to the best of your knowledge, information and belief. Any information fraudulently or recklessly provided or which leads to an entry in the register of the General Osteopathic Council being fraudulently procured will result in an investigation by the Registrar and may result in criminal proceedings.

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SCHEDULE 2

REFERENCES

PART II

FORM FOR HEALTH REFERENCE

Osteopaths Act 1993  
Sections 3 (2) (c), 4 (2) (c) and 8 (3) (e)  
Provision of a Health Reference

Ref:

The Osteopaths Act 1993 requires that an applicant for registration under the Act must satisfy the Registrar that he/she is in good health, both physically and mentally, before he/she can be registered to practise osteopathy. A reference as to the applicant's health is to be provided, as a matter of first recourse, on this form by a registered medical practitioner who has been either the applicant's doctor for the past four years or who has examined the applicant's medical records made by a general medical practitioner who has known the applicant for the requisite period.

The Registrar may make further enquiries of the applicant and/or referees if it is deemed necessary to verify or clarify any part of these references.

Please tick where applicable

I have known the above named person for ..... years and am satisfied he/she is of good health both physically and mentally. I am not aware of any circumstances which would affect the capacity of the applicant to practise as a registered osteopath.

Only a registered medical practitioner may supply such a health reference.

I have examined the medical records of the above named person made by a registered medical practitioner who knew him/her for the last four years, or by a registered medical practitioner who practised in partnership with that practitioner and am satisfied that there appears to be no medical reason which would affect the capacity of him/her to practise as a registered osteopath.

Any additional information:

.....  
.....  
.....

A registered medical practitioner may provide a reference based on his/her personal knowledge at the time the application is made without carrying out a formal medical examination before signing the reference form.

Name (please print):

Practice address:

Telephone:

.....  
.....  
.....  
.....

The Registrar may however, request such an examination if she deems it necessary in order to provide satisfactory evidence of good mental and/or physical health. The applicant shall be personally responsible for any health examination fees.

Signed:

Date:

In providing this reference you are reminded of the importance of ensuring that all statements contained in this reference are true to the best of your knowledge, information and belief. Any information fraudulently or recklessly provided or which leads to an entry in the register of the General Osteopathic Council being fraudulently procured will result in an investigation by the Registrar and may result in criminal proceedings.

Given under the official seal of the General Osteopathic Council this

23rd day of March nineteen hundred and ninety  
eight.

*Simon Fielding*  
Chairman

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### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order, which is made under the Osteopaths Act 1993, approves Rules made by the General Osteopathic Council prescribing the procedures for applying for registration as a registered osteopath during the transitional period (being the period of two years beginning with the opening of the register of Osteopaths) and specifying the associated fees to be charged during the period.