

SCHEDULE

THE GENERAL CHIROPRACTIC COUNCIL (REGISTRATION OF CHIROPRACTORS WITH FOREIGN QUALIFICATIONS) RULES 2002

PART III

Cases where Community Law applies

Application and interpretation of Part III

- 9.**—(1) This Part applies where an applicant is a person who—
- (a) does not have a recognised qualification granted by an institution within the United Kingdom; but
 - (b) is treated as having a recognised qualification by virtue of section 14(10)(a) of the Act;
- and references in this Part to an application shall be construed accordingly.
- (2) In this Part—
- “Community law” has the meaning given in section 14(11) of the Act;
 - “competent authority” means, in relation to any—
 - (a) document, certificate, diploma or qualification, or
 - (b) period of professional experience,referred to in this Part, the authority, body or person in a State authorised under the laws, regulations or administrative provisions of that State to issue, award or recognise such document, certificate, diploma or qualification, or to certify any such period;
 - “the Directive” means Directive [89/48/EEC](#)(1);
 - “EEA State” means a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992(2) as adjusted by the Protocol signed at Brussels on 17th March 1993(3);
 - “Member State” means an EEA State or Switzerland; and
 - “relevant Member State” means the applicant’s Member State of origin, the Member State from which the applicant comes or the Member State in which the applicant formerly qualified or practised.

Applications

- 10.**—(1) Except where rule 11(2) or 12(2) or (3) provides otherwise, rules 4 and 5 of the 1999 Rules shall not apply to an application.
- (2) An application shall be made in Form B set out in the Schedule and signed by the applicant.
 - (3) It shall be accompanied by—
 - (a) the fee prescribed in paragraph 1 of Schedule 2 to the 1999 Rules;
 - (b) the certificates or other documents duly issued by a competent authority attesting to the applicant’s qualification and, where appropriate, the professional experience relied on by the applicant;

(1) O.J. No. L 19, 24.1.89, p.16.

(2) Cm 2073 and O.J. No. 11, 3.1.1994, p.3.

(3) Cm 2183 and O.J. No. 11, 3.1.1994, p.572.

Status: This is the original version (as it was originally made).

- (c) the documents mentioned in rules 11 and 12; and
- (d) so far as relevant, all the other particulars specified in that Form B.

(4) In cases where the Directive applies, the certificates or other documents mentioned in paragraph (3)(b) shall be issued by a competent authority of a relevant Member State.

Evidence of good character

11.—(1) In a case to which the Directive applies, the applicant shall supply the Registrar with—

- (a) a document duly issued by the competent authority of a relevant Member State attesting to the applicant’s good character and confirming that he has not been suspended or prohibited from pursuing the profession of chiropractic because of serious professional misconduct or the commission of a criminal offence; or
- (b) where that authority does not issue such documents, a declaration on oath or solemn declaration attesting to and confirming those matters required to be attested to or confirmed under sub-paragraph (a)—
 - (i) made by the applicant before a competent judicial or administrative authority or (where appropriate) a notary or duly qualified professional body of a relevant Member State, and
 - (ii) authenticated by a certificate issued by the authority, notary or body.

(2) Rule 4(2)(a) and rule 5(1) and (3) of the 1999 Rules shall apply in so far as relevant in a case to which the Directive does not apply.

Evidence as to health

12.—(1) Subject to paragraph (2), where the Directive applies, the applicant shall provide the document attesting to his physical or mental health required by the authorities which regulate the profession of chiropractic in a relevant Member State.

(2) Where no such document is required or the Directive does not apply, the applicant shall provide the report required by rule 4(2)(b) of the 1999 Rules.

(3) Rule 5(2) and (3) of the 1999 Rules shall apply so far as relevant in a case to which the Directive does not apply.

Additional conditions

13. Rules 10 to 12 have effect without prejudice to the requirement for the applicant to provide acceptable evidence to the Registrar that he has met any additional conditions specified by the Council under section 14(10)(b) of the Act.