

**Status:** Point in time view as at 01/07/1993. This version of this part contains provisions that are not valid for this point in time.

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

## SCHEDULE

### THE GENERAL COUNCIL AND COMMITTEES

#### PART II

##### THE STATUTORY COMMITTEES

###### *General*

VALID FROM 01/04/1998

- 16 (1) The members of the statutory committees, other than co-opted members, shall be appointed by the General Council from among the members of the Council.
- (2) The General Council shall make provision by rules as to the procedure for such appointments.

#### Commencement Information

- II** Sch. Pt. II para. 16 wholly in force at 8.3.2000; Sch. Pt. II para. 16 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 16 in force for specified purposes at 1.4.1998 by S.I. 1998/872, **art. 2(1)(j)** **(2)(b)**; Sch. Pt. II para. 16 in force for further specified purposes at 5.7.1999 by S.I. 1999/1767, **art. 2(i)** **(i)**; Sch. Pt. II para. 16 in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, **art. 2**

VALID FROM 01/04/1998

- 17 (1) The co-option of any person to any of the statutory committees shall be subject to the approval of the General Council.
- (2) A co-opted member of any of the statutory committees may also be a member of the General Council.
- (3) The term of office of a co-opted member shall not exceed the period of 3 years beginning with the date of his co-option.
- (4) The General Council shall make further provision by rules in relation to co-option, including provision as to the procedure involved.

#### Commencement Information

- I2** Sch. Pt. II para. 17 wholly in force at 8.3.2000; Sch. Pt. II para. 17 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 17 in force for specified purposes at 1.4.1998 by S.I. 1998/872, **art. 2(1)(j)** **(2)(b)**; Sch. Pt. II para. 17 in force for certain purposes at 5.7.1999 by S.I. 1999/1767, **art. 2(i)(i)**; Sch. Pt. II para. 17 in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, **art. 2**

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18 A person shall not be prevented from being a member of a statutory committee merely because he has previously been a member of that committee.

**Commencement Information**

**I3** Sch. Pt. II para. 18 wholly in force at 8.3.2000; Sch. Pt. II para. 18 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 18 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 18 in force for certain purposes at 5.7.1999 by 1999/1767, [art. 2\(h\)\(i\)](#); Sch. Pt. II para. 18 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

VALID FROM 01/04/1998

19 Any member of a statutory committee (other than a co-opted member) shall hold office until he ceases to be a member of the General Council or, where he is a member of the committee by virtue of being Chairman of the General Council, until he ceases to be Chairman of the General Council.

**Commencement Information**

**I4** Sch. Pt. II para. 19 wholly in force at 8.3.2000; Sch. Pt. II para. 19 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 19 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 19 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 19 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

VALID FROM 01/04/1998

20 The General Council may by rules make provision with respect to any sub-committee of a statutory committee including, in particular, provision as to the functions and powers to be conferred on the sub-committee, its composition and its relationship with the statutory committee.

**Commencement Information**

**I5** Sch. Pt. II para. 20 wholly in force at 8.3.2000; Sch. Pt. II para. 20 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 20 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 20 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 20 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

21 (1) The General Council shall make rules regulating the procedure of the statutory committees and their sub-committees (if any) including, in particular, provision as to rules of evidence to be observed in proceedings before any such committee or sub-committee.

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- (2) Subject to any rules made under sub-paragraph (1), and to any provision made by the General Council under paragraph 15(2)(g), each statutory committee and any sub-committee of such a committee may regulate its own procedure.

VALID FROM 01/04/1998

- 22 (1) If it appears to the General Council that any statutory committee is failing to perform its functions adequately, the General Council may give a direction as to the proper performance of those functions.
- (2) Where the General Council, having given a direction under sub-paragraph (1), is satisfied that the committee has failed to comply with the direction, it may exercise any power of that committee or do any act or other thing authorised to be done by that committee.

#### Commencement Information

- I6** Sch. Pt. II para. 22 wholly in force at 8.3.2000; Sch. Pt. II para. 22 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 22 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 22 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 22 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

VALID FROM 01/04/1998

- 23 (1) The powers of any statutory committee may be exercised even though there is a vacancy among its members.
- (2) No proceedings of a statutory committee shall be invalidated by any defect in the appointment of a member.

#### Commencement Information

- I7** Sch. Pt. II para. 23 wholly in force at 8.3.2000; Sch. Pt. II para. 23 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 23 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 23 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 23 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

VALID FROM 01/04/1998

- 24 (1) A person may be a member of more than one statutory committee.
- (2) No member of the Professional Conduct Committee or the Health Committee shall take part in dealing with an allegation referred to either committee by another committee if he is also a member of the committee which referred the allegation.

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### Commencement Information

- 18** Sch. Pt. II para. 24 wholly in force at 8.3.2000; Sch. Pt. II para. 24 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 24(1) in force for specified purposes at 1.4.1998 by **S.I. 1998/872, art. 2(1)(j)(2)(b)**; Sch. Pt. II para. 24(1) in force for certain purposes at 5.7.1999 by **S.I. 1999/1767, art. 2(i)(i)**; Sch. Pt. II para. 24 in force at 8.3.2000 insofar as not already in force by **S.I. 2000/217, art. 2**

VALID FROM 01/04/1998

### *The Education Committee*

- 25 (1) The Education Committee shall consist of—
- (a) 6 of the members of the General Council elected by fully registered osteopaths;
  - (b) 3 of the members of the General Council appointed by the Privy Council;
  - (c) the 3 members of the General Council appointed by the Education Committee;
  - (d) the member of the General Council appointed by the Secretary of State.
- (2) In appointing the members of the Committee, the General Council shall secure, so far as is compatible with the provisions of sub-paragraph (1), that its Chairman is a member of the Committee.
- 26 The Committee may co-opt up to 8 further members.
- 27 (1) Subject to sub-paragraph (2), the members of the Committee shall elect a Chairman from among themselves.
- (2) The Chairman shall not be the Chairman of the General Council or a co-opted member of the Committee.
- (3) In the event of a tie in any voting, the Chairman of the Committee shall have an additional casting vote.
- 28 The quorum of the Committee shall be 7, of whom at least 4 shall be members of the General Council.
- 29 (1) The 3 members appointed to the General Council by the Committee shall not be entitled to take part in the appointment of any of their successors.
- (2) The member appointed to the General Council by the Secretary of State shall also not be entitled to take part in the appointment of any of the successors to the 3 members mentioned in sub-paragraph (1).
- (3) Where the Chairman of the Committee is prevented by sub-paragraph (1) or (2) from taking part in an appointment the appointment shall be made in accordance with rules made by the General Council.

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VALID FROM 01/04/1998

### *The Investigating Committee*

30 The Investigating Committee shall consist of at least 8 members of the General Council, of whom at least 2 shall be members of the General Council appointed by the Privy Council.

#### **Commencement Information**

**I9** Sch. Pt. II para. 30 wholly in force at 5.7.1999; Sch. Pt. II para. 30 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 30 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 30 in force at 5.7.1999 insofar as not already in force by [S.I. 1999/1767, art. 2\(h\)\(ii\)](#).

31 The Committee may co-opt up to 8 further members.

#### **Commencement Information**

**I10** Sch. Pt. II para. 31 wholly in force at 5.7.1999; Sch. Pt. II para. 31 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 31 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 31 in force at 5.7.1999 insofar as not already in force by [S.I. 1999/1767, art. 2\(h\)\(ii\)](#).

- 32
- (1) Subject to sub-paragraph (2), the members of the Committee shall elect a Chairman from among themselves.
  - (2) The Chairman shall not be the Chairman of the General Council or a co-opted member of the Committee.
  - (3) In the event of a tie in any voting, the Chairman of the Committee shall have an additional casting vote.
  - (4) In the event of a tie in voting in respect of a decision under section 20(9)(c) or section 21(2), the Chairman shall cast his additional vote in favour of the osteopath concerned.

#### **Commencement Information**

**I11** Sch. Pt. II para. 32 wholly in force at 5.7.1999; Sch. Pt. II para. 32 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 32 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 32 in force at 5.7.1999 insofar as not already in force by [S.I. 1999/1767, art. 2\(h\)\(ii\)](#).

33 The quorum of the Committee shall be 7, of whom at least 4 shall be members of the General Council.

#### **Commencement Information**

**I12** Sch. Pt. II para. 33 wholly in force at 5.7.1999; Sch. Pt. II para. 33 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 33 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art.](#)

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**2(1)(j)(2)(b)**; Sch. Pt II para 33 in force at 5.7.1999 insofar as not already in force by S.I. 1999/1767, art. 2 (h)(ii).

VALID FROM 01/04/1998

*The Professional Conduct Committee*

34 The Professional Conduct Committee shall consist of at least 6 members of the General Council, of whom at least 2 shall be members of the General Council appointed by the Privy Council.

**Commencement Information**

**I13** Sch. Pt. II para. 34 wholly in force at 8.3.2000; Sch. Pt. II para. 34 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 34 in force for specified purposes at 1.4.1998 by S.I. 1998/872, art. 2(1)(j)(2)(b); Sch. Pt. II para. 34 in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, art. 2

35 The Committee may co-opt up to 4 further members.

**Commencement Information**

**I14** Sch. Pt. II para. 35 wholly in force at 8.3.2000; Sch. Pt. II para. 35 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 35 in force for specified purposes at 1.4.1998 by S.I. 1998/872, art. 2(1)(j)(2)(b); Sch. Pt. II para. 35 in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, art. 2

- 36
- (1) If the Chairman of the General Council is a member of the Committee he shall be Chairman of the Committee.
  - (2) If he is not a member of the Committee, the members shall elect a Chairman from among those members who are not co-opted members.
  - (3) In the event of a tie in any voting, the Chairman of the Committee shall have an additional casting vote.
  - (4) In the event of a tie in voting in respect of a decision under section 22 or section 24, the Chairman shall cast his additional vote in favour of the osteopath concerned.

**Commencement Information**

**I15** Sch. Pt. II para. 36 wholly in force at 8.3.2000; Sch. Pt. II para. 36 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 36 in force for specified purposes at 1.4.1998 by S.I. 1998/872, art. 2(1)(j)(2)(b); Sch. Pt. II para. 36 in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, art. 2

37 The quorum of the Committee shall be 5, of whom at least 3 shall be members of the General Council.

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#### Commencement Information

- I16** Sch. Pt. II para. 37 wholly in force at 8.3.2000; Sch. Pt. II para. 37 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 37 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 37 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

VALID FROM 01/04/1998

#### *The Health Committee*

- 38 The Health Committee shall consist of at least 6 members of the General Council, of whom—
- (a) at least 2 shall be members of the General Council appointed by the Privy Council; and
  - (b) at least one shall be a registered medical practitioner at the time of his appointment.

#### Commencement Information

- I17** Sch. Pt. II para. 38 wholly in force at 8.3.2000; Sch. Pt. II para. 38 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 38 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 38 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

- 39 The Committee may co-opt up to 4 further members.

#### Commencement Information

- I18** Sch. Pt. II para. 39 wholly in force at 8.3.2000; Sch. Pt. II para. 39 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 39 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 39 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

- 40
- (1) If the Chairman of the General Council is a member of the Committee he shall be Chairman of the Committee.
  - (2) If he is not a member of the Committee, the members shall elect a Chairman from among those members who are not co-opted members.
  - (3) In the event of a tie in any voting, the Chairman of the Committee shall have an additional casting vote.
  - (4) In the event of a tie in voting in respect of a decision under section 23 or section 24, the Chairman shall cast his additional vote in favour of the osteopath concerned.

#### Commencement Information

- I19** Sch. Pt. II para. 40 wholly in force at 8.3.2000; Sch. Pt. II para. 40 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 40 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 40 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

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41 The quorum of the Committee shall be 5, none of whom need be registered medical practitioners but at least 3 of whom shall be members of the General Council.

**Commencement Information**

**I20** Sch. Pt. II para. 41 wholly in force at 8.3.2000; Sch. Pt. II para. 41 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 41 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 41 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)



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