

SCHEDULES

SCHEDULE 2

Section 42.

AMENDMENTS OF THE OSTEOPATHS ACT 1993

- 1 (1) In section 9 of the Osteopaths Act 1993 (access to the register etc.), in subsection (1), the words from “and” at the end of paragraph (a) to the end of paragraph (b) are hereby repealed.
- (2) After subsection (1) of that section insert—
- “(1A) The General Council shall—
- (a) before the end of the period of twelve months which begins on the date on which the register is opened, and
- (b) at least once in every subsequent period of twelve months which begins on the anniversary of that date,
- publish a list (referred to in this section as the “published register”), giving the names and registered addresses of those who, at the date of publication, are registered osteopaths.
- (1B) The published register shall also contain, in respect of each registered osteopath, such other information, derived from the register, as may, by rules made by the General Council, be determined to be appropriate for publication.
- (1C) Any osteopath whose registration has been suspended shall, for the period of his suspension, cease to be a registered osteopath for the purposes of subsections (1A) and (1B).”
- (3) In subsection (3) of that section, after “copies of the” insert “published”.
- 2 In section 13 (the standard of proficiency)—
- (a) in subsection (3), omit “—
- (a)”,
- and
- for
- “standard;
- and
- (b)”
- at
- the
- end
- of
- paragraph (a)
- substitute
- “standard,
- accompanied
- by”;
- and

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- (b) in subsection (4), for “statement” substitute “statements”.
- 3 (1) In section 18 (information to be given by institutions)—
- (a) in subsection (3) for “the Council” (in both places) substitute “the Committee”; and
 - (b) in subsections (3) and (4) for “General Council” substitute “Education Committee”.
- (2) For subsection (5) of that section substitute—
- “*(5) Where an institution refuses any reasonable request for information made by the Education Committee under this section, the Committee may recommend to the General Council that recognition of the qualification in question be either—*
- (a) refused, or*
 - (b) withdrawn.*
- (6) Where a recommendation is made to the General Council under subsection (5), the Council may—*
- (a) in a case to which subsection (5)(a) applies, refuse to recognise the qualification under section 14; or*
 - (b) in a case to which subsection (5)(b) applies, give a direction under section 16(2) (with the required approval of the Privy Council) in respect of the qualification.”*

4 In subsection (10) of section 20 (professional conduct and fitness to practise), for “may” substitute “shall”.

5 (1) After subsection (4) of section 22 (consideration of allegations by the Professional Conduct Committee) insert—

“*(4A) A conditions of practice order must specify one or both of the following—*

 - (a) the period for which the order is to have effect;*
 - (b) a test of competence which must be taken by the osteopath.”*

(2) In subsection (5)(a) of that section the words “for the purposes of this subsection” are hereby repealed.

6 In sections 27 (legal assessors) and 28 (medical assessors), in subsection (2)—

 - (a) the word “or” at the end of paragraph (c) is hereby repealed; and
 - (b) at the end of paragraph (d) insert “or
 - (e) the Registrar.”.

7 In section 30 (appeals against decisions of the Health Committee), in subsection (12) for “under” substitute “by virtue of”.

8 In section 31 (appeals against decisions of the Professional Conduct Committee and appeal tribunals)—

 - (a) in subsection (1)(a) after “section” insert “8 or”; and
 - (b) in subsection (7) for “the Health Committee” substitute “an appeal tribunal”.

9 In section 41 (interpretation), for the definition of “registered address” substitute—

““registered address” means the address which is entered in the register, in relation to the osteopath in question, in accordance with the requirements of

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section 6(1) and does not include any other address which may be entered in the register, in relation to him, by virtue of rules made under section 6(2);”.

- 10 (1) The Schedule (the General Council and its committees) is amended as follows.
- (2) In paragraph 15, after paragraph (e) insert—
- “(ee) to pay its members such allowances and expenses as it may determine;”.
- (3) In paragraph 21(2), for the words from “rules made” to “paragraph 15(2)(g)” substitute “provision made by or under this Act”.
- (4) Paragraph 15 shall be deemed always to have had effect as amended by subparagraph (2).