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STATUTORY INSTRUMENTS

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**1997 No. 34 (C. 2)**

**OSTEOPATHS**

**The Osteopaths Act 1993 (Commencement  
No. 1 and Transitional Provision) Order 1997**

*Made - - - - 13 January 1997*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 42(2), (4) and (5) of the Osteopaths Act 1993<sup>(1)</sup>, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Osteopaths Act 1993 (Commencement No. 1 and Transitional Provision) Order 1997.

(2) In this Order “the Act” means the Osteopaths Act 1993.

**Appointed day**

2. 14th January 1997 is the day appointed for the coming into force of each provision of the Act specified in the first column of the Schedule to this Order (which relate to the matters mentioned in the second column of the Schedule) and, save as otherwise provided in the first column of the Schedule, those provisions shall come into force on that day for all purposes.

**Transitional provision**

3. Until such time as a person appointed to be the registrar under section 2(1) of the Act takes office—

- (a) paragraph 5 of the Schedule to the Act shall have effect as if for the word “Registrar” there were substituted the words “Chairman of the General Council”; and
- (b) paragraph 14(2) of that Schedule shall have effect as if for the word “Registrar” there were substituted the words “Privy Council”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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13th January 1997

*Stephen Dorrell*  
Secretary of State for Health

## SCHEDULE

Article 2.

## PROVISIONS OF THE ACT COMING INTO FORCE ON 14th JANUARY 1997

(1) Provision of the Act	(2) Subject Matter
In section 1— subsection (1); subsection (2), for the purpose of enabling the General Osteopathic Council to prepare for the exercise of any functions which may be, or if the relevant provision were in force could become, exercisable under any provision of the Act including this subsection; subsection (3), so far as it relates to the other provisions of the Act brought into force by this Order; subsection (4), so far as it relates to the following provisions of Part I of the Schedule to the Act— paragraphs 1, 2, 4, 5, 6, 8, 11, 13, 14(2), 14(3) except for paragraph (d), and 15;(2) subsections (8), (10), (11) and (12)	The General Osteopathic Council
Section 2(1), (2), (4), (5) and (6)	The Registrar of Osteopaths
Section 34	Default powers of the Privy Council
Section 35(1), (2) and (4)	Rules
Section 36(1), (2), (4), (5) and (6)	Exercise of powers by Privy Council
Section 40	Financial provisions
Section 41, so far as it provides a definition of “the General Council”, “prescribed” and “the Registrar”	Interpretation
In section 42, subsections (1) to (6), and subsection (7) except for the words from “except that” to the end of that subsection	Short title, commencement, transitional provisions and extent
In the Schedule— in Part I, paragraphs 1, 2, 4, 5, 6, 8, 11, 13, 14(2), 14(3) except for paragraph (d), and 15;(3)	The General Council
Part III	The General Council: transitional provisions

(2) Paragraph 15 of the Schedule was amended by the Chiropractors Act 1994 (c. 17), Schedule 2, paragraph 10(2).

(3) See footnote (a).

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## EXPLANATORY NOTE

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

This Order brings into force on 14th January 1997 section 1(1) of the Osteopaths Act 1993 for the purpose of establishing the General Osteopathic Council (“the Council”). The duty of the Council, under section 1(2) of the Act, to develop, promote and regulate the profession of osteopathy, is brought into force for the purpose of enabling the Council to prepare for the exercise of its functions under the Act.

The Order also brings into force the following provisions of the Act—

- section 1(3), under which the Council shall have other functions conferred on it by the Act;
- section 1(4) and certain provisions in Part I of the Schedule, relating to the membership and powers of the Council for the purpose of discharging its functions under the Act;
- section 1(8), under which the Council may appoint committees;
- section 1(10) to (12), under which Her Majesty in Council may make provision with respect to the matters dealt with by the Schedule, namely the Council and certain committees;
- section 2(1), (2) and (4) to (6), relating to the appointment of the Registrar of Osteopaths;
- section 34, which relates to the powers of the Privy Council where the General Osteopathic Council fails to perform its functions;
- section 35(1), (2) and (4), relating to the making of rules under the Act;
- section 36(1), (2) and (4) to (6), relating to the exercise of powers by the Privy Council;
- section 40, relating to accounts to be kept by the Council;
- section 41 in respect of certain definitions; and
- section 42(1) to (5) and (7) in respect of the short title of the Act, the territorial extent of the Act and the power of the Secretary of State to bring the Act into force and make transitional provision.

The Order also brings into force section 42(6) and Part III of the Schedule for the purpose of making transitional provision for the membership of the Council during the period before, and for certain periods after, the commencement of the provisions dealing with registration of osteopaths. The Order includes a transitional provision as to the notification of resignation by the Chairman or a member of the Council while the office of Registrar is vacant.