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STATUTORY INSTRUMENTS

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**2001 No. 2028 (C. 66)**

**CHIROPRACTORS**

**The Chiropractors Act 1994 (Commencement  
Order No. 5 and Transitional Provision) Order 2001**

*Made - - - - 7th May 2001*

The Secretary of State for Health, in exercise of the powers conferred upon him by section 44(3) and (6) of the Chiropractors Act 1994<sup>(1)</sup>, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Chiropractors Act 1994 (Commencement No. 5 and Transitional Provision) Order 2001.

(2) In this Order, “the Act” means the Chiropractors Act 1994.

**Appointed Day**

2. 15th June 2001 is the day appointed for the coming into force of the following provisions of the Act and those provisions shall come into force on that day for all purposes—

- (a) section 7(3) (which provides that a chiropractor whose registration has been suspended ceases to be a registered chiropractor for the purposes of section 32(1)); and
- (b) section 32(1) (which provides that a person who describes himself in certain ways is guilty of an offence unless he is a registered chiropractor) and section 32(3) so far as not yet in force.

**Transitional provision**

3.—(1) This article applies where an application for registration under the Act has been made before 15th June 2001 which—

- (a) has not been determined by that date; or
- (b) has been refused prior to that date, but—
  - (i) on that date the period for an appeal to the General Council mentioned in section 29(3) of the Act, or for any subsequent appeal from the decision of the General Council or of a court which is unfavourable to the applicant has not expired,

- (ii) an appeal has been made within the period allowed for an appeal to the General Council, or for a subsequent appeal from the decision of the General Council or of a court which is unfavourable to the applicant and on that date that appeal has not yet been heard, or has been heard but no decision has been given, or
- (iii) permission is required for an appeal to a court and on that date the period during which that permission could be sought has not expired, or by that date permission has been sought but the application for permission has not yet been heard, or if it has been heard, no decision has been given.

(2) Where an application for registration falling within paragraph (1) results in registration, whether by the Registrar in response to the application or following a successful appeal to the General Council or to a court, section 32(1) of the Act shall not apply to the applicant during the period beginning with 15th June 2001 and ending on the date of registration.

(3) Where an application for registration falling within paragraph (1) does not result in registration, whether by the Registrar in response to the application or following an appeal to the General Council or to a court, section 32(1) of the Act shall not apply to the applicant until the date specified in paragraph (4), (5) or (6) below.

(4) Where the applicant has not exhausted his rights of appeal, the date shall be that following—

- (a) the last day of the period during which an appeal against the decision, whether that of the Registrar, General Council or a court, or any subsequent appeal decision, could have been made; or
- (b) where permission to appeal is required, the last day of the period during which that permission could have been sought.

(5) Where an applicant has exhausted his rights of appeal and accordingly no further appeal against an appeal decision or a decision refusing permission to appeal is possible, the date shall be that following the date of the final decision disallowing the appeal, or, as the case may be, the refusal of permission to appeal.

(6) Where an applicant takes the necessary steps for an appeal to be discontinued or dismissed by a court, the date shall be that following the date of discontinuance or, as the case may be, the dismissal by a court.

7th May 2001

*Alan Milburn*  
One of Her Majesty's Principal Secretaries of  
State, Secretary of State for Health

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## EXPLANATORY NOTE

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

This Order brings into force on 15th June 2001 sections 7(3), 32(1) and 32(3) of the Chiropractors Act 1994 relating to offences committed by persons describing themselves as chiropractors or in similar ways without being registered with the General Chiropractic Council.

This Order includes a transitional provision so as to delay for certain periods the coming into force of the offence in section 32(1) where an application for registration with the General Chiropractic Council has been made prior to 15th June 2001.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Act have been brought into force by Commencement Order made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1(1)	14th August 1998	1998/2031
Section 1(2)(partially)	14th August 1998	1998/2031
(partially)	13th May 1999	1999/1309
(partially)	15th June 1999	1999/1496
(partially)	7th September 2000	2000/2388
Section 1(3) (partially)	14th August 1998	1998/2031
(partially)	13th May 1999	1999/1309
(partially)	15th June 1999	1999/1496
(partially)	7th September 2000	2000/2388
Section 1(4) (partially)	14th August 1998	1998/2031
(partially)	13th May 1999	1999/1309
Section 1(5), (6) and (7) (partially)	13th May 1999	1999/1309
(remainder)	7th September 2000	2000/2388
Section 1(8)	14th August 1998	1998/2031
Section 1(9) (partially)	13th May 1999	1999/1309
(remainder)	7th September 2000	2000/2388
Section 1(10), (11) and (12)	14th August 1998	1998/2031
Section 2, except for subsection (3)	14th August 1998	1998/2031

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
subsection (3)	15th June 1999	1999/1496
Sections 3, 4, 6	15th June 1999	1999/1496
Sections 7 (partially) and 8 (partially)	7th September 2000	2000/2388
Section 9	15th June 1999	1999/1496
Section 10 (partially)	15th June 1999	1999/1496
(remainder)	7th September 2000	2000/2388
Sections 11 to 16	13th May 1999	1999/1309
Section 18	13th May 1999	1999/1309
Section 19	15th June 1999	1999/1496
Sections 20 to 28	7th September 2000	2000/2388
Section 29	15th June 1999	1999/1496
Sections 30 and 31	7th September 2000	2000/2388
Section 32 (partially)	7th September 2000	2000/2388
Section 33	13th May 1999	1999/1309
Section 34	14th August 1998	1998/2031
Section 35, except for subsection (3)	14th August 1998	1998/2031
subsection (3)	7th September 2000	2000/2388
Section 36, except for subsection (3)	14th August 1998	1998/2031
subsection (3)	15th June 1999	1999/1496
Sections 37, 38 and 40	15th June 1999	1999/1496
Section 39	13th May 1999	1999/1309
Section 41	14th August 1998	1998/2031
Section 43 (partially)	14th August 1998	1998/2031
(partially)	13th May 1999	1999/1309
(partially)	15th June 1999	1999/1496
(partially)	7th September 2000	2000/2388
Section 44 (partially)	14th August 1998	1998/2031
(partially)	13th May 1999	1999/1309
(remainder)	15th June 1999	1999/1496
In Schedule 1—		
in Part I, paragraphs 1, 2, 4, 5 and 6	14th August 1998	1998/2031
paragraph 7	13th May 1999	1999/1309

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraphs 8, 11, 13, 14(2) and 14(3) (partially)	14th August 1998	1998/2031
paragraph 14(5)(b)	13th May 1999	1999/1309
paragraph 15	14th August 1998	1998/2031
in Part II, paragraphs 16 and 17; and paragraphs 18 to 20, 21(2) and 22 to 23 (partially); and paragraphs 25 to 29	13th May 1999	1999/1309
Part II, remainder	7th September 2000	2000/2388
Part III	14th August 1998	1998/2031