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STATUTORY INSTRUMENTS

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**2006 No. 1630**

**CHIROPRACTORS**

**The General Chiropractic Council (Professional  
Conduct Committee and Health Committee)  
Amendment Rules Order of Council 2006**

*Made* - - - - *16th June 2006*  
*Coming into force* - - *30th June 2006*

The General Chiropractic Council has made the General Chiropractic Council (Professional Conduct Committee and Health Committee) Amendment Rules 2006 as set out in Schedule to this Order:

And, by section 35(1) of the Chiropractors Act 1994 (“the Act”), such Rules shall not have the effect until approved by the Privy Council and, by section 36(1) of the Act, that approval shall be given by order:

Having considered the Rules, their Lordships approve them.

This Order may be cited as the General Chiropractic Council (Professional Conduct Committee and Health Committee) Amendment Rules Order of Council 2006 and shall come into force on 30<sup>th</sup> June 2006.

*A K Galloway*  
Clerk of the Privy Council

## SCHEDULE

### THE GENERAL CHIROPRACTIC COUNCIL (PROFESSIONAL CONDUCT COMMITTEE AND HEALTH COMMITTEE) AMENDMENT RULES 2006

The General Chiropractic Council, in exercise of its powers under sections 26 and 35(2) of, and paragraph 21 of Schedule 1 to, the Chiropractors Act 1994<sup>(1)</sup>, and all other powers enabling it in that behalf, hereby makes the following Rules:—

#### **Citation, commencement and interpretation**

1. These Rules may be cited as the General Chiropractic Council (Professional Conduct Committee and Health Committee) Amendment Rules 2006 and shall come into force on 30th June 2006.

#### **Amendment to the Conduct Rules**

2. For rule 16(2) of the General Chiropractic Council (Professional Conduct Committee) Rules 2000<sup>(2)</sup> substitute—

“(2) Where after the sending of the notice and copies of any documents to the relevant chiropractor in accordance with rule 15(2) and (4), the Committee has procured or received a further report, statement or other document which in the view of the Committee is material to an issue in the case (not being a report, statement or other document falling within paragraph (2A)) the Registrar shall—

- (a) send a copy of the report, statement or document to the relevant chiropractor; and
- (b) except where the relevant chiropractor has indicated that he wishes to appear before the Committee under rule 15(3), invite him to make any representations in writing upon the report, statement or document to the Committee within—
  - (i) the period of 14 days beginning with the date of service of it upon him, or
  - (ii) if later, before the expiry of the period of 28 days referred to in rule 15(2).

(2A) A report, statement or other document falls within this paragraph if—

- (a) the relevant chiropractor has already received a copy in connection with proceedings under Part III or under rule 17; or
- (b) it was procured or provided by or on behalf of the relevant chiropractor to the Committee.

(2B) In determining whether to exercise its powers under section 22(7) or (9) of the Act, the Committee shall not take into account any report, statement or other document where—

- (a) the relevant chiropractor has not been given the opportunity to make any representations in writing upon it to the Committee in accordance with paragraph (2) or rule 15(2)(c), unless he otherwise agrees; or
- (b) the relevant chiropractor has indicated a wish to appear before the Committee and he has not been given a reasonable opportunity to consider and comment upon it, unless he otherwise agrees or fails to appear before the Committee.”.

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(1) 1994 c. 17.

(2) Schedule to S.I.2000/3290.

### Amendment of the Health Rules

3. For rule 16(2) of the General Chiropractic Council (Health Committee) Rules 2000(3) substitute—

“(2) Where after the sending of the notice and copies of any documents to the relevant chiropractor in accordance with the rule 15(2), (3) and (5), the Committee has procured or received a further report, statement or other document which in the view of the Committee is material to an issue in the case (not being a report, statement or other document falling within paragraph (2A)), the Registrar shall—

- (a) send a copy of the report, statement or document to the relevant chiropractor; and
- (b) except where the relevant chiropractor has indicated that he wishes to appear before the Committee under rule 15(4), invite him to make any representations in writing upon the report, statement or document to the Committee within—
  - (i) the period of 14 days beginning with the date of service of it upon him, or
  - (ii) if later, before the expiry of the period of 28 days referred to in rule 15(2) or (3),

(2A) A report, statement or other document falls within this paragraph if—

- (a) the relevant chiropractor has already received a copy in connection with proceedings under Part III or under rule 17; or
- (b) it was procured or provided by or on behalf of the relevant chiropractor to the Committee.

(2B) In determining whether to exercise its powers under section 23(4), (5), (6) of the Act, the Committee shall not take into account any report, statement or other document where—

- (a) the relevant chiropractor has not been given the opportunity to make any representations in writing upon it to the Committee in accordance with paragraph (2) or rule 15(2)(c), unless he otherwise agrees; or
- (b) the relevant chiropractor has indicated a wish to appear before the Committee and he has not been given a reasonable opportunity to consider and comment upon it, unless he otherwise agrees or fails to appear before the Committee.”.

Given under the common seal of the General Chiropractic Council this 1st day of June 2006.

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### EXPLANATORY NOTE

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

This Order which is made under the Chiropractors Act 1994, approves rules made by the General Chiropractic Council which provide the procedures to be followed by the Professional Conduct Committee and the Health Committee. The Order amends the rules set out in Statutory Instruments [2000/3290](#) and [2000/3291](#) relating to the Professional Conduct Committee and Health Committee’s consideration of allegations as to a Chiropractor’s conduct, competence or ability to practise due to

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physical or a mental condition. The Order amends the rules relating to the manner of the proceedings concerning the submission of evidence to the Committees