



# Osteopaths Act 1993

## 1993 CHAPTER 21

### *Supplemental*

#### **41 Interpretation.**

In this Act—

“conditionally registered osteopath” means a person who is registered with conditional registration;

[<sup>F1</sup>“exempt person” means—

- (a) a national of a relevant European State other than the United Kingdom,
- (b) a national of the United Kingdom who is seeking access to, or is pursuing, the profession of osteopathy by virtue of an enforceable [<sup>F2</sup>EU] right, or
- (c) a person who is not a national of a relevant European State but who is, by virtue of an enforceable [<sup>F2</sup>EU] right, entitled to be treated, for the purposes of access to and pursuit of the profession of osteopathy, no less favourably than a national of a relevant European State,

and in this definition, “national”, in relation to a relevant European State, means the same as in the [<sup>F2</sup>EU] Treaties, but does not include a person who by virtue of Article 2 of Protocol No. 3 (Channel Islands and Isle of Man) to the Treaty of Accession is not to benefit from [<sup>F2</sup>EU] provisions relating to the free movement of persons and services;]

“fully registered osteopath” means a person who is registered with full registration;

“the General Council” means the General Osteopathic Council;

[<sup>F3</sup>“the General Systems Regulations” means the European Communities (Recognition of Professional Qualifications) Regulations 2007 ([S.I. 2007/2781](#));]

“interim suspension order” has the meaning given in section 24(3);

“opening of the register” means the date on which section 3 comes into force;

“prescribed” means prescribed by rules made by the General Council;

“provisionally registered osteopath” means a person who is registered with provisional registration;

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- “recognised qualification” has the meaning given by section 14(1);
- “the register” means the register of osteopaths maintained by the Registrar under section 2;
- “registered” means registered in the register;
- [<sup>F4</sup>“registered address” means the address which is entered in the register, in relation to the osteopath in question, in accordance with the requirements of 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);]
- “registered osteopath” means a person who is registered as a fully registered osteopath, as a conditionally registered osteopath [<sup>F5</sup>, as a provisionally registered osteopath or as a temporarily registered osteopath] ;
- “the Registrar” has the meaning given in section 2(2);
- [<sup>F6</sup>“relevant European State” means an EEA State or Switzerland;]
- “the required standard of proficiency” means the standard determined by the General Council under section 13;
- “the statutory committees” has the meaning given by section 1(6);
- [<sup>F7</sup>“temporarily registered osteopath” means a person who is registered with temporary registration;]
- [<sup>F8</sup>“training” includes continuing professional development;]
- “unacceptable professional conduct” has the meaning given by section 20(2);
- “visitor” means a person appointed under section 12.

#### Textual Amendments

- F1** Words in s. 41 inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **214(a)**
- F2** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 6 (with art. 3(2)(3), 4(2), 6(4)(5))
- F3** Words in s. 41 inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **214(b)**
- F4** Definition in s. 41 substituted (5.7.1994) by 1994 c. 17, s. 42, **Sch. 2 para. 9**
- F5** Words in s. 41 substituted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **214(c)**
- F6** Words in s. 41 inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **214(d)**
- F7** Words in s. 41 inserted (3.12.2007) by [The European Qualifications \(Health and Social Care Professions\) Regulations 2007 \(S.I. 2007/3101\)](#), regs. 1(2), **214(e)**
- F8** Words in s. 41 inserted (9.7.2008) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(2)(d), **Sch. 3 para. 8**

#### Commencement Information

- I1** S. 41 wholly in force at 5.7.1999; s. 41 not in force at Royal Assent see s. 42(2)(4)(5); s. 41 in force for specified purposes at 14.1.1997 by [S.I. 1997/34](#), art. 2, **Sch.**; s. 41 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), art. 2(1)(i); S. 41 in force at 5.7.1999 insofar as not already in force by [S.I. 1999/1767](#), art. 2(h).

## 42 Short title, commencement, transitional provisions and extent.

- (1) This Act may be cited as the Osteopaths Act 1993.

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- (2) This Act shall come into force on such day as the Secretary of State may by order appoint.
- (3) The power conferred by subsection (2) shall be exercisable by statutory instrument.
- (4) Different days may be appointed by an order under subsection (2) for different purposes and different provisions.
- (5) Any order under subsection (2) may make such transitional provision as the Secretary of State considers appropriate.
- (6) The transitional provisions of Part III of the Schedule shall have effect.
- (7) This Act extends to the United Kingdom except that—
  - (a) section 38(1) and section 39(2) extend only to Great Britain;
  - (b) section 38(2)(c) and (e) extends only to Scotland;
  - (c) section 39(3) extends only to Northern Ireland; and
  - (d) section 38(2)(b) and (d) extends only to England and Wales.

#### **Subordinate Legislation Made**

- P1** S. 42(2)(4)(5) power partly exercised: 14.1.1997 appointed for specified provisions by [S.I. 1997/34](#), [art. 2](#), [Sch.](#)
- S. 42(2)(4) power partly exercised: 1.4.1998 appointed for specified provisions by [S.I. 1998/872](#), [art. 2](#)
- S. 42(2)(4) power partly exercised: 9.5.1998 appointed for specified provisions by [S.I. 1998/1138](#), [art. 2](#)
- S. 42(2)(4) power partly exercised: 5.7.1999 appointed for specified provisions by [S.I. 1999/1767](#), [art. 2](#).
- S. 42(2)(4) power partly exercised: 8.3.2000 appointed for specified provisions by [S.I. 2000/217](#), [art. 2](#)
- S. 42(2)(4)(5) power partly exercised: 9.5.2000 appointed for specified provisions by [S.I. 2000/1065](#), [art. 2](#)
- S. 42(2)(4) power fully exercised: 3.3.2002 appointed for specified provisions by [S.I. 2002/500](#), [art. 2](#)

#### **Commencement Information**

- I2** S. 42 wholly in force at 9.5.1998; s. 42 not in force at Royal Assent see s. 42(2)(4)(5); s. 42(1)-(6) wholly in force and s. 42(7) partly in force at 14.1.1997 by [S.I. 1997/34](#), [art. 2](#), [Sch.](#); s. 42 in force at 9.5.1998 insofar as not already in force by [S.I. 1998/1138](#), [art. 2\(f\)](#)

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