

*Status: Point in time view as at 01/04/2003.*

*Changes to legislation: There are currently no known outstanding effects for the Osteopaths Act 1993, Part I. (See end of Document for details)*

## SCHEDULE

### THE GENERAL COUNCIL AND COMMITTEES

#### PART I

##### THE GENERAL COUNCIL

###### *Membership*

- 1 The General Council shall consist of—
- (a) 12 members elected by fully registered osteopaths;
  - (b) 8 members appointed by the Privy Council;
  - (c) 3 members appointed by the Education Committee; and
  - (d) 1 member appointed by the Secretary of State.
- 2 The quorum of the General Council shall be 12.
- 3 Subject to paragraphs 4 to 7, each member’s term of office shall be for a period of 5 years.
- 4 (1) This paragraph applies where a member fails to complete his full term of office.
- (2) In such circumstances as may be prescribed, if the unexpired term is less than the prescribed period the vacancy need not be filled before the end of that term.
- (3) If the member’s successor is elected or (as the case may be) appointed during the unexpired term, the successor’s term of office shall, subject to paragraphs 5 to 7, be for the residue of the unexpired term.
- (4) Rules made by the General Council under sub-paragraph (2) shall not prescribe a period of more than twelve months.
- (5) In this paragraph “the unexpired term” means the period beginning with the date on which the member ceased to be a member and ending with the date on which his full term of office would have expired.
- 5 Any member may at any time resign by notice in writing addressed to the Registrar.

**Modifications etc. (not altering text)**

C1 Sch. Pt. I para. 5 modified (14.1.1997) by [S.I. 1997/34](#), [art. 3\(a\)](#)

- 6 Every member shall retire on reaching the age of 70.
- 7 The General Council shall by rules make provision as to the grounds (such as repeated absence from meetings or unacceptable professional conduct) on which any member may be removed from office and the procedure involved.
- 8 No person shall be prevented from being elected or from being appointed merely because he has previously been a member of the General Council.

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*Members elected by fully registered osteopaths*

- 9 (1) This paragraph and paragraph 10 apply in relation to the 12 members elected by fully registered osteopaths.
- (2) Each member—
- (a) shall be a fully registered osteopath at the time of his election, and
  - (b) may be a registered medical practitioner.
- (3) One member shall be expressly elected as a member who is both a fully registered osteopath and a registered medical practitioner at the time of his election.
- (4) The member mentioned in sub-paragraph (3) shall be elected by fully registered osteopaths whose registered addresses are in the United Kingdom.
- (5) Of the other 11 members—
- (a) 8 shall be elected by fully registered osteopaths whose registered addresses are in England;
  - (b) 1 shall be elected by fully registered osteopaths whose registered addresses are in Wales;
  - (c) 1 shall be elected by fully registered osteopaths whose registered addresses are in Scotland; and
  - (d) 1 shall be elected by fully registered osteopaths whose registered addresses are in Northern Ireland.
- 10 The General Council shall make further provision by rules in relation to the election of the 12 members and as to by-elections.

*Members appointed by the Privy Council*

- 11 (1) Of the 8 members appointed by the Privy Council—
- (a) 1 shall be a registered medical practitioner at the time of his appointment and shall be appointed after consultation with the Conference of Medical Royal Colleges and their Faculties in the United Kingdom; and
  - (b) the other 7 shall be persons who are not registered osteopaths at the time of their appointment.
- (2) If the body mentioned in sub-paragraph (1)(a) ceases to exist, the Privy Council shall appoint the member in question after consultation with such other representative body or bodies as they think fit.
- (3) The member appointed in accordance with sub-paragraph (1)(a) shall not be a registered osteopath.
- (4) Any of the other members may be a registered medical practitioner.

*Members appointed by the Education Committee*

- 12 (1) The 3 members appointed by the Education Committee shall be persons appearing to the Committee to be qualified to advise the General Council on matters relating to education and training in osteopathy.
- (2) Before making any such appointment, the Committee shall consult—
- (a) those institutions in the United Kingdom by which or under whose direction any relevant course of study is given; and

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- (b) such other bodies (if any) as the Education Committee considers appropriate.
- (3) In this paragraph “relevant course of study” has the same meaning as in section 12(2).

*The member appointed by the Secretary of State*

- 13 The member appointed by the Secretary of State shall be a person appearing to him to be qualified to advise the General Council on matters relating to professional education.

*The Chairman*

- 14 (1) The members of the General Council shall elect a Chairman from among themselves.
- (2) The Chairman may resign the office of Chairman at any time by notice in writing addressed to the Registrar.
- (3) The Chairman shall hold office until—
- (a) he resigns as Chairman;
  - (b) he ceases to be a member of the General Council;
  - (c) he is removed by a majority vote of the other members of the Council; or
  - (d) a period of 7 years, beginning with his assuming office as Chairman, has elapsed and no other person has been elected (and served) as Chairman during that time.
- (4) A person shall not be prevented from being elected as Chairman merely because he has previously been Chairman, but if he has ceased to hold office by virtue of subparagraph (3)(d) he may not be elected as Chairman until some other person has served as the elected Chairman.
- (5) The General Council shall by rules—
- (a) make further provision in relation to the election of a Chairman; and
  - (b) make provision for the appointment of an acting Chairman in the event of a vacancy in the office of Chairman or in such other circumstances as may be prescribed.

**Modifications etc. (not altering text)**

**C2** Sch. Pt. I para. 14(2) modified (14.1.1997) by [S.I. 1997/34](#), **art. 3(b)**

**Commencement Information**

**II** Sch. Pt I para. 14 wholly in force at 3.3.2002; Sch. Pt. I para. 14 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. I para. 14(2)(3)(a)-(c) in force at 14.1.1997 by [S.I. 1997/34](#), **art. 2**, **Sch.**; Sch. Pt. I para. 14(5)(b) in force at 1.4.1998 by [S.I. 1998/872](#), **art. 2(1)(j)**; Sch. Pt. I para. 14(1)(3)(d)(4)(5)(a) in force at 3.3.2002 in so far as not already in force, by [S.I. 2002/500](#), **art. 2**

*Powers of the General Council*

- 15 (1) Subject to any provision made by or under this Act, the General Council shall have power to do anything which is calculated to facilitate the discharge of its functions or which is incidental or conducive to the discharge of its functions.
- (2) The General Council shall, in particular, have power—

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- (a) to borrow;
  - (b) to appoint such staff as it may determine;
  - (c) to pay its staff such salaries as it may determine;
  - (d) to pay its staff, and the members of its committees and any of their sub-committees, such allowances and expenses as it may determine;
  - (e) to make such provision for the payment of such pensions, allowances or gratuities, or such contributions or payments towards provision for such pensions, allowances or gratuities, to or in respect of its staff as it may determine;
  - [<sup>F1</sup>(ee) to pay its members such allowances and expenses as it may determine;]
  - (f) to establish such sub-committees of any of its committees as it may determine;
  - (g) subject to any provision made by or under this Act, to regulate the procedure of any of its committees or their sub-committees;
  - (h) to abolish any of its committees, other than a statutory committee, or any sub-committee of any of its committees;
  - (i) to delegate to any of its committees any functions of the General Council other than any power to make rules.
- (3) The powers of the General Council may be exercised even though there is a vacancy among its members.
- (4) No proceedings of the General Council shall be invalidated by any defect in the election or appointment of a member.
- (5) Subject to any provision made by or under this Act, the General Council may regulate its own procedure.

#### **Textual Amendments**

**F1** Sch. Pt. I para. 15(2)(ee) inserted (5.7.1994) by 1994 c. 17, s. 42, **Sch. 2 para. 10(2)(4)**

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