

Status: Point in time view as at 09/07/2008.

Changes to legislation: There are currently no known outstanding effects for the Osteopaths Act 1993, Cross Heading: The Chairman. (See end of Document for details)

SCHEDULE

THE GENERAL COUNCIL AND COMMITTEES

PART I

THE GENERAL COUNCIL

[^{F1}The Chairman]

Textual Amendments

- F1** Sch. Pt. 1 paras. 1A-1D substituted for Sch. Pt. 1 paras. 1-14 (9.7.2008 for specified purposes) by [The Health Care and Associated Professions \(Miscellaneous Amendments\) Order 2008 \(S.I. 2008/1774\)](#), art. 1(3), [Sch. 3 para. 9\(2\)](#)

- 14 [^{F1}(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)

- C1** 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](#)

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Membership: general

- [^{F1}1A. (1) The General Council shall consist of—
- (a) registrant members, that is members who are registered osteopaths; and
 - (b) lay members, that is members who—
 - (i) are not and never have been registered osteopaths, and
 - (ii) do not hold qualifications which would entitle them to apply for registration under this Act.
- (2) The members of the General Council shall be appointed by the Privy Council.
- (3) The Privy Council shall ensure that, at any time, at least one member of the General Council lives or works wholly or mainly in each of England, Scotland, Wales and Northern Ireland.
- (4) Before the Privy Council gives a direction to the Appointments Commission under section 60(1) of the Health Act 2006 to exercise any function of the Privy Council relating to the appointment of members of the General Council, the Privy Council shall consult the General Council.

Matters for the order of the Privy Council under section 1(4)

- 1B. (1) An order under section 1(4) shall include provision with regard to—
- (a) the numbers of registrant members and lay members of the General Council;
 - (b) the terms of office for which members of the General Council are appointed, and the order may provide that these are to be determined by the Privy Council, on appointment;
 - (c) the grounds on which persons are to be disqualified from appointment as registrant or lay members of the General Council;
 - (d) the appointment of a chair of the General Council and the chair's term of office, and the order may provide that the term is to be determined by whoever makes the appointment as chair, on appointment;
 - (e) deputising arrangements in respect of the chair;
 - (f) the quorum of the General Council; and
 - (g) the circumstances in which members cease to hold office or may be removed or suspended from office.
- (2) But an order under section 1(4) must not include any provision which would have the effect that a majority of the members of the General Council would be lay members.
- (3) An order under section 1(4) may include provision with regard to—
- (a) the maximum period for which a member of the General Council may hold office as a member during a specified period;
 - (b) the maximum period for which a member of the General Council may serve as chair of the General Council during a specified period;
 - (c) the education and training of members of the General Council, and the order may provide for the General Council to include the requirements with regard to education and training of its members in standing orders, and for those standing orders to provide for—
 - (i) that education and training to be the responsibility of another body, and

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- (ii) those requirements to be set and varied by that body from time to time;
 - (d) the attendance of members of the General Council at meetings of the General Council;
 - (e) the effect (if any) of any vacancy in the membership of the General Council or any defect in the appointment of a member; and
 - (f) enabling the Privy Council to appoint as the chair of the General Council, for a specified period, the person who held office as Chairman of the General Council on the day before the first order under section 1(4) comes into force.
- (4) An order under section 1(4) may make different provision for different cases or different classes of case and may contain such incidental, consequential, transitional, transitory, saving or supplementary provisions as appear to the Privy Council to be necessary or expedient.

Registration of members' private interests

- 1C. (1) The General Council must establish and maintain a system for the declaration and registration of private interests of its members.
- (2) The General Council must publish in such manner as it sees fit entries recorded in the register of members' private interests.

Duties of co-operation etc.

- 1D. (1) In exercising its functions, the General Council shall—
- (a) have proper regard for—
 - (i) the interests of persons using or needing the services of registered osteopaths in the United Kingdom, and
 - (ii) any differing interests of different categories of registered osteopaths;
 - (b) co-operate, in so far as is appropriate and reasonably practicable, with public bodies or other persons concerned with—
 - (i) the employment (whether or not under a contract of service) of registered osteopaths,
 - (ii) the education or training of osteopaths or other health care professionals,
 - (iii) the regulation of, or the co-ordination of the regulation of, other health or social care professionals,
 - (iv) the regulation of health services, and
 - (v) the provision, supervision or management of health services.
- (2) In carrying out its duty to co-operate under sub-paragraph (1)(b), the General Council shall have regard to any differing considerations relating to practising as an osteopath which apply in England, Scotland, Wales or Northern Ireland.
- (3) In sub-paragraph (1), “other health care professionals” means persons regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002, other than the General Council.]

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