
STATUTORY INSTRUMENTS

1998 No. 872 (C.18)

OSTEOPATHS

The Osteopaths Act 1993 (Commencement No. 2) Order 1998

Made - - - - 20th March 1998

The Secretary of State for Health, in exercise of the powers conferred upon him by section 42(2) and (4) of the Osteopaths Act 1993(1), hereby makes the following Order.

Citation and interpretation

- 1.—(1) This Order may be cited as the Osteopaths Act 1993 (Commencement No. 2) Order 1998.
(2) In this Order, “the Act” means the Osteopaths Act 1993.

Appointed Day

2.—(1) Subject to paragraph (2), 1st April 1998 is the day appointed for the coming into force of the following provisions of the Act and, save as provided in this paragraph or in paragraph (2), those provisions shall come into force on that day for all purposes.

- (a) in section 1 (the General Osteopathic Council and its committees)—
- (i) subsection (3), so far as it relates to the other provisions of the Act brought into force by this Order;
 - (ii) subsection (4), so far as it relates to the provisions of the Schedule to the Act brought into force by this Order; and
 - (iii) subsections (5), (6), (7) and (9);
- (b) sections 3 (full registration) and 4 (conditional registration), for the purpose of enabling the General Council to make rules and to charge fees and for the Registrar to receive applications for registration and to consider such applications;
- (c) in section 6 (registration: supplemental provision), subsections (2), (3)(b) to (l) and (4)(a);
- (d) section 11 (the Education Committee);
- (e) section 13 (the standard of proficiency);
- (f) section 19 (the Code of Practice);
- (g) section 37 (professional indemnity insurance);
- (h) section 39 (exemption from provisions about rehabilitation of offenders);

(1) 1993 c. 21, amended by the Chiropractors Act 1994 (c. 17), Schedule 2.

- (i) section 41 (interpretation), so far as not yet in force, with the exception of the definitions of “interim suspension order”, “provisionally registered osteopath”, “registered address”, “unacceptable professional conduct” and “visitor”; and
- (j) in the Schedule (The General Council and Committees), paragraph 14(5) (apart from paragraph (a)), and the whole of Part II (the statutory committees), except paragraphs 22 and 24(2).

(2) The following provisions shall come into force on the appointed day solely for the purpose of enabling the Investigating Committee, the Professional Conduct Committee and the Health Committee and any sub-committees of those committees to be established and to carry out work preparatory to the exercise of any function which may be, or if the relevant provision were in force could become, exercisable under any provision of the Act—

- (a) in section 1, subsections (5)(b), (c) and (d), (7) and (9); and
- (b) in the Schedule, paragraphs 16 to 24(1) and 30 to 41.

Frank Dobson
One of Her Majesty’s Principal Secretaries of
State
Department of Health

20th March 1998

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st April 1998 certain provisions of the Osteopaths Act 1993 for the purposes of—

establishing the Statutory Committees of the General Osteopathic Council (“the GOsC”) (section 1(5), (6), (7), (8) and (9) and certain provisions in the Schedule); and

enabling the GOsC to make rules and to charge fees relating to registration and enabling the Registrar to receive applications for registration and to consider them (sections 3, 4, 6(2), (3) (b) to (l) and (4)(a)).

The provisions set out above relating to the Statutory Committees are commenced fully in relation to the Education Committee. In relation to the other Statutory Committees (the Investigating Committee, the Professional Conduct Committee and the Health Committee), they are commenced to the extent necessary to permit those Committees to be established and to carry out work preparatory to the exercise of their functions but not further.

The Order also brings into force the following provisions of the Act—

Section 11, under which the Education Committee has the general duty of promoting high standards of education and training in osteopathy and of advising the GOsC on such matters;

Section 13, under which the GOsC is obliged to determine from time to time the standard of proficiency required for the competent and safe practice of osteopathy;

Section 19, under which the GOsC is obliged to prepare and publish a Code of Practice;

Section 37, under which the GOsC may make rules relating to professional indemnity insurance;

Section 39, which deals with exemption from provisions relating to the rehabilitation of offenders; and

Section 41 in respect of certain definitions.

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 January 1997	1997/34
Section 1(2) (partially)	14th January 1997	1997/34
Section 1(3) (partially)	14th January 1997	1997/34
Section 1(4) (partially)	14th January 1997	1997/34
Section 1(8)	14th January 1997	1997/34
Section 1(10) to (12)	14th January 1997	1997/34

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>
Section 2(1), (2), (4), (5) and (6)	14th January 1997	1997/34
Section 34	14th January 1997	1997/34
Section 35(1), (2) and (4)	14th January 1997	1997/34
Section 36(1), (2), (4), (5) and (6)	14th January 1997	1997/34
Section 40	14th January 1997	1997/34
Section 41 (partially)	14th January 1997	1997/34
Section 42(1), (2), (3), (4), (5) and (6)	14th January 1997	1997/34
Section 42(7) (partially)	14th January 1997	1997/34
In the Schedule in Part I, paragraphs 1, 2, 4, 5, 6, 8, 11, 13, 14(2), 14(3) (partially) and 15; and Part III	14th January 1997	1997/34