

Osteopaths Act 1993

1993 CHAPTER 21

Registration of osteopaths

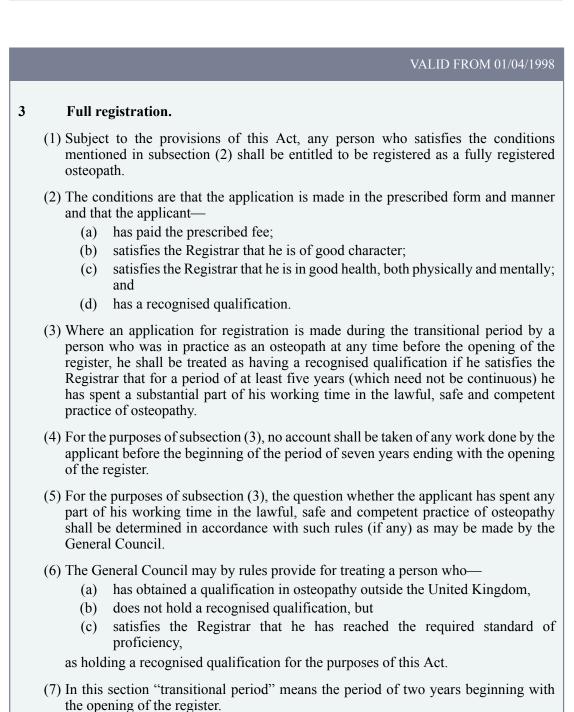
2 The Registrar of Osteopaths.

- (1) The General Council shall appoint a person to be the registrar for the purposes of this Act.
- (2) The person appointed shall be known as the Registrar of Osteopaths (referred to in this Act as "the Registrar") and shall hold office for such period and on such terms as the General Council may determine.
- (3) It shall be the duty of the Registrar to establish and maintain a register of osteopaths in accordance with the provisions of this Act.
- (4) The Registrar shall have such other functions as the General Council may direct.
- (5) Where the terms on which the Registrar holds office include provision for the payment to him of any allowances or expenses, the rate at which those allowances or expenses are paid shall be determined by the General Council.
- (6) The terms on which the Registrar holds office may, in addition to providing for his remuneration, include provision for the payment of such pensions, allowances or gratuities to or in respect of him, or such contributions or payments towards provision for such pensions, allowances or gratuities, as may be determined by the General Council.

Commencement Information

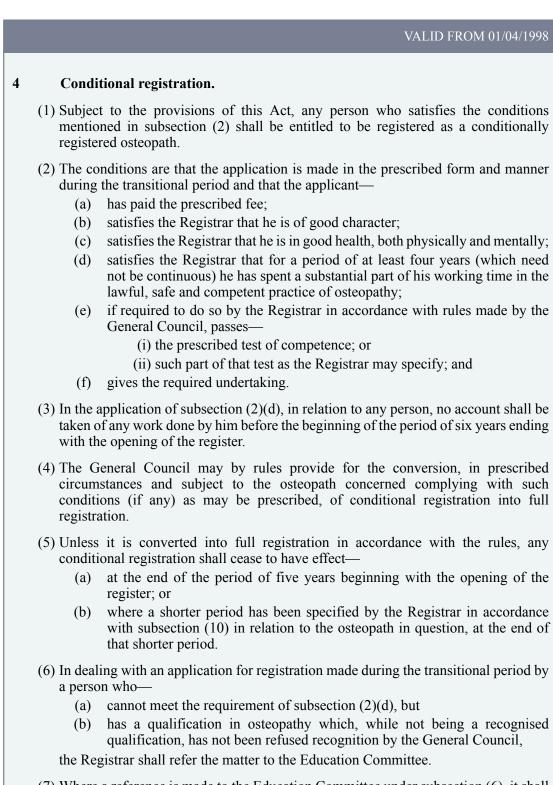
S. 2 wholly in force 9.5.1998; s. 2 not in force at Royal Assent see s. 42(2)(4)(5); s. 2(1)(2)(4)-(6) in force at 1.4.1997 by S.I. 1997/34, art. 2, Sch.; s. 2 in force at 9.5.1998 insofar as not already in force by S.I. 1998/1138, art. 2(b)

Status: Point in time view as at 14/01/1997. This version of this cross heading contains provisions that are not valid for this point in time. Changes to legislation: There are currently no known outstanding effects for the Osteopaths Act 1993, Cross Heading: Registration of osteopaths. (See end of Document for details)



Commencement Information

I2 S. 3 wholly in force at 9.5.1998; s. 3 not in force at Royal Assent see s. 42(2)(4)(5); s. 3 in force for certain purposes at 1.4.1998 by S.I. 1998/872, art. 2(1)(b); s. 3 in force at 9.5.1998 insofar as not already in force by S.I. 1998/1138, art. 2(b)



- (7) Where a reference is made to the Education Committee under subsection (6), it shall be the duty of the Committee to advise the General Council.
- (8) If, after considering the advice of the Education Committee, the General Council is satisfied that it is appropriate to do so, it shall direct the Registrar to disregard subsection (2)(d) in relation to the application in question.

(9) For the purposes of subsection (2)(d), the question whether the applicant has spent any part of his working time in the lawful, safe and competent practice of osteopathy shall be determined in accordance with such rules (if any) as may be made by the General Council.

(10) In this section—

"required undertaking" means an undertaking that the person giving it will, before the end of the period of five years beginning with the opening of the register or such shorter period as the Registrar may specify in relation to the applicant—

- (a) complete such additional training and acquire such experience as may be specified by the Registrar in accordance with rules made by the General Council; and
- (b) comply with such other conditions (if any) as may be imposed on him by the Registrar in accordance with such rules; and

"transitional period" means the period of two years beginning with the opening of the register.

(11) Rules made by virtue of paragraph (b) in the definition of "required undertaking" in subsection (10) may, in particular, provide for the Registrar to be able to impose, as a condition, the passing of a test of competence specified by the Registrar.

Commencement Information

I3 S. 4 wholly in force at 9.5.1998; s. 4 not in force at Royal Assent see s. 42(2)(4)(5); s. 4 in force for certain purposes at 1.4.1998 by S.I. 1998/872, art. 2(1)(b); s. 4 in force at 9.5.1998 insofar as not already in force by S.I. 1998/1138, art. 2(b)

VALID FROM 08/03/2000

5 **Provisional registration.**

- (1) The General Council may make rules providing for all applicants for registration who are entitled to be registered with full registration, or all such applicants falling within a prescribed class, to be registered initially with provisional registration.
- (2) No such rules shall be made before the end of the period of two years beginning with the opening of the register.
- (3) Before making any rules under subsection (1), the General Council shall take such steps as are reasonably practicable to consult those who are registered osteopaths.
- (4) The General Council may by rules provide for the conversion, in prescribed circumstances and subject to the osteopath concerned complying with such conditions (if any) as may be prescribed, of provisional registration into full registration.
- (5) Unless it is converted into full registration in accordance with the rules, any provisional registration shall cease to have effect at the end of the period of one year beginning with the date on which it is entered in the register.

- (6) A provisionally registered osteopath shall not practise osteopathy except under the supervision of a fully registered osteopath who is approved by the General Council for the purposes of this subsection.
- (7) The General Council shall maintain a list of those fully registered osteopaths who are for the time being approved by the Council for the purposes of subsection (6).

VALID FROM 01/04/1998

6 **Registration: supplemental provision.** (1) The register shall show, in relation to each registered osteopath— (a) whether he is registered with full, conditional or provisional registration; and the address at which he has his practice or principal practice or, if he is not (b) practising, such address as may be prescribed. (2) The General Council may make rules in connection with registration and the register and as to the payment of fees. (3) The rules may, in particular, make provision as tothe form and keeping of the register; (a) the form and manner in which applications for registration are to be made; (b) the documentary and other evidence which is to accompany applications for (c) registration; the manner in which the Registrar is to satisfy himself as to the good (d) character and competence of any person applying for registration and the procedure for so doing; (e) the manner in which the Registrar is to satisfy himself as to the physical and mental health of any person applying for registration and the procedure for so doing; (f) the description of persons from whom references are to be provided for persons applying for registration; in the case of an application for conditional registration, the conditions or (g) kinds of condition which may be imposed on the osteopath concerned; (h) the making, periodic renewal and removal of entries in the register; the giving of reasons for any removal of, or refusal to renew, an entry in the (i) register; any failure on the part of a registered osteopath to comply with any (j) conditions subject to which his registration has effect, including provision for the Registrar to refuse to renew his registration or for the removal of his name from the register; (k) the issue and form of certificates; (1) the content, assessment and conduct of any test of competence imposed under section 4; the meaning of "principal practice" for the purposes of subsection (1). (m) (4) The rules may, in particular, also make provision— (a) prescribing the fee to be charged for making an entry in the register or restoring such an entry;

- (b) prescribing the fee to be charged in respect of the retention in the register of any entry in any year following the year in which the entry was first made;
- (c) providing for the entry in the register of qualifications (whether or not they are recognised qualifications) possessed by registered osteopaths and the removal of such an entry;
- (d) prescribing the fee to be charged in respect of the making or removal of any entry of a kind mentioned in paragraph (c);
- (e) authorising the Registrar—
 - (i) to refuse to make an entry in the register, or restore such an entry, until the prescribed fee has been paid;
 - (ii) to remove from the register any entry relating to a person who, after the prescribed notice has been given, fails to pay the fee prescribed in respect of the retention of the entry.
- (5) A person who has failed to renew his registration as an osteopath shall be entitled to have his entry restored to the register on payment of the prescribed fee.

Commencement Information

I4 S. 6 wholly in force at 9.5.1998; s. 6 not in force at Royal Assent see s. 42(2)(4)(5); s. 6(2)(3)(b)-(l)(4) (a) in force at 1.4.1998 by S.I. 1998/872, art. 2(1)(c); s. 6 in force at 9.5.1998 insofar as not already in force by S.I. 1998/1138, art. 2(b)

VALID FROM 05/07/1999

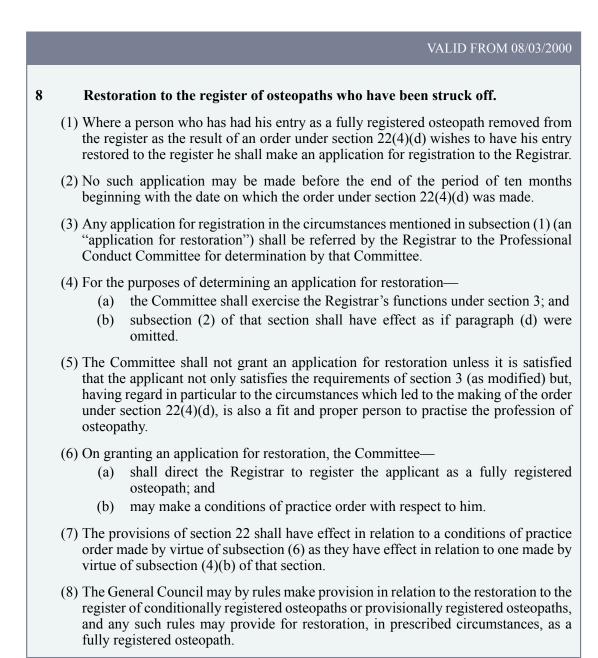
7 Suspension of registration.

- (1) Where the Registrar suspends the registration of an osteopath in accordance with any provision of this Act, the Registrar shall enter in the register a note of—
 - (a) the suspension;
 - (b) the period of the suspension; and
 - (c) the provision under which the suspension was made.
- (2) Where the period of the suspension is extended, the Registrar shall note the extension in the register.
- (3) Any osteopath whose registration has been suspended shall, for the period of his suspension, cease to be a registered osteopath for the purposes of section 32(1).

Commencement Information

I5 S. 7 wholly in force at 9.5.2000; s. 7 not in force at Royal Assent see s. 42(2); s. 7(1)(2) in force for certain purposes at 5.7.1999 by S.I. 1999/1767, art. 2(b); s. 7(1)(2) in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, art. 2; s. 7(3) in force at 9.5.2000 by S.I. 2000/1065, art. 2(a) (with transitional provisions in art. 3)

Status: Point in time view as at 14/01/1997. This version of this cross heading contains provisions that are not valid for this point in time. Changes to legislation: There are currently no known outstanding effects for the Osteopaths Act 1993, Cross Heading: Registration of osteopaths. (See end of Document for details)



VALID FROM 09/05/1998

- (a) before the end of the period of twelve months which begins on the date on which the register is opened, and
- (b) at least once in every subsequent period of twelve months which begins on the anniversary of that date,

publish a list (referred to in this section as the "published register"), giving the names and registered addresses of those who, at the date of publication, are registered osteopaths.

- (1B) The published register shall also contain, in respect of each registered osteopath, such other information, derived from the register, as may, by rules made by the General Council, be determined to be appropriate for publication.
- (1C) Any osteopath whose registration has been suspended shall, for the period of his suspension, cease to be a registered osteopath for the purposes of subsections (1A) and (1B).]
 - (2) Any person who asks the General Council for a copy of the most recently published register shall be entitled to have one on payment of such reasonable fee as the Council may determine.
 - (3) Subsection (2) shall not be taken as preventing the General Council from providing copies of the [^{F4}published] register free of charge whenever it considers it appropriate.
 - (4) Any copy of, or extract from, the published register shall be evidence (and in Scotland sufficient evidence) of the matters mentioned in it.
 - (5) A certificate purporting to be signed by the Registrar, certifying that a person—
 - (a) is registered in a specified category,
 - (b) is not registered,
 - (c) was registered in a specified category at a specified date or during a specified period,
 - (d) was not registered in a specified category, or in any category, at a specified date or during a specified period, or
 - (e) has never been registered,

shall be evidence (and in Scotland sufficient evidence) of the matters certified.

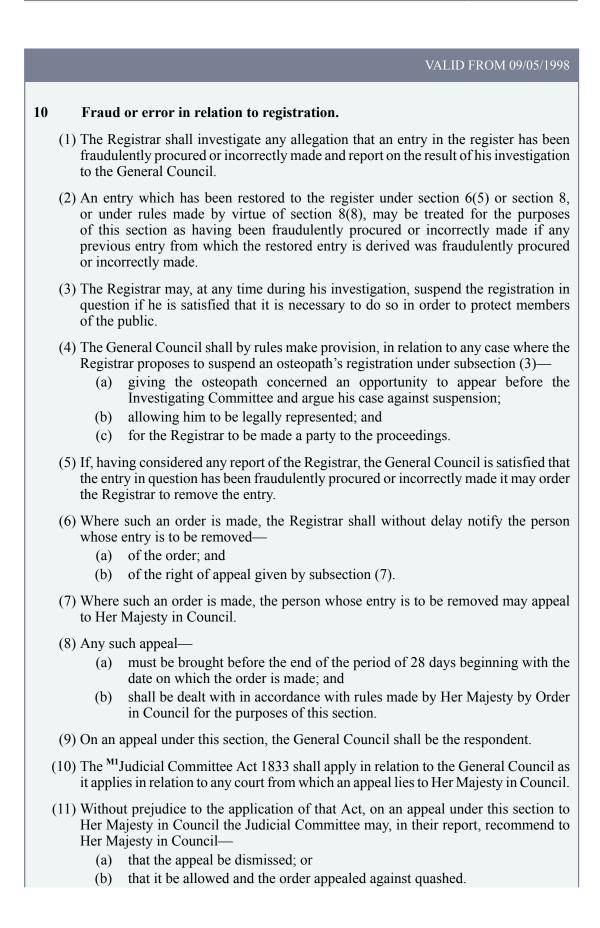
Textual Amendments

- F1 Words in s. 9(1)(a) repealed (5.7.1994) by 1994 c. 17, s. 42, Sch. 2 para. 1(1)
- F2 S. 9(1)(b) repealed (5.7.1994) by 1994 c. 17, s. 42, Sch. 2 para. 1(1)
- F3 S. 9(1A)-(1C) inserted (5.7.1994) by 1994 c. 17, s. 42, Sch. 2 para. 1(2)
- F4 Words in s. 9(3) inserted (5.7.1994) by 1994 c. 17, s. 42, Sch. 2 para. 1(3)

Commencement Information

I6 S. 9 wholly in force at 8.3.2000; s. 9 not in force at Royal Assent see s. 42(2)(4)(5); s. 9(1)-(1B)(2)-(5) in force at 9.5.1998 by S.I. 1998/1138, art. 2(c); s. 9(1C) in force at 8.3.2000 by S.I. 2000/217, art. 2

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(12) The General Council may by rules make such further provision as it considers appropriate with respect to suspensions under subsection (3), including in particular provision as to their duration.

Commencement Information

I7 S. 10 wholly in force at 8.3.2000; s. 10 not in force at Royal Assent see s. 42(2)(4)(5); s. 10(1) in force at 9.5.1998 by S.I. 1998/1138, art. 2(d); s. 10(2) partly in force and s. 10(3)-(12) in force insofar as not already in force at 5.7.1999 by S.I. 1999/1767, art. 2(c); s. 10(2) in force at 8.3.2000 insofar as not already in force by S.I. 2000/217, art.2

Marginal Citations

M1 1833 c. 41.

Status:

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Changes to legislation:

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