

*Status: Point in time view as at 09/07/2008.*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: General. (See end of Document for details)*

## SCHEDULE

### THE GENERAL COUNCIL AND COMMITTEES

#### PART II

##### THE STATUTORY COMMITTEES

###### *General*

- 16 (1) The members of the statutory committees, other than co-opted members, shall be appointed by the General Council [<sup>F1</sup>and may be, but are not required to be, appointed] from among the members of the Council.
- (2) The General Council shall make provision by rules as to the procedure for such appointments [<sup>F2</sup>, and as to the suspension and removal from office of the persons appointed].
- [<sup>F3</sup>(3) The rules may make provision for a body (including a committee of the General Council which is not one of the statutory committees) to assist the General Council in connection with the exercise of any function relating to the appointment of members or particular members of any statutory committee, including any function in relation to tenure of office or suspension or removal from office.]

#### Textual Amendments

- F1** Words in Sch. Pt. II para. 16(1) inserted (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(4)(a)**
- F2** Words in Sch. Pt. II para. 16(2) inserted (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(4)(b)**
- F3** Sch. Pt. II para. 16(3) inserted (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(4)(c)

#### Commencement Information

- I1** Sch. Pt. II para. 16 wholly in force at 8.3.2000; Sch. Pt. II para. 16 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 16 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), **art. 2(1)(j) (2)(b)**; Sch. Pt. II para. 16 in force for further specified purposes at 5.7.1999 by [S.I. 1999/1767](#), **art. 2(i) (i)**; Sch. Pt. II para. 16 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), **art. 2**

- 17 (1) The co-option of any person to any of the statutory committees shall be subject to the approval of the General Council.
- (2) A co-opted member of any of the statutory committees may also be a member of the General Council.
- (3) The term of office of a co-opted member shall not exceed the period of 3 years beginning with the date of his co-option.
- (4) The General Council shall make further provision by rules in relation to co-option, including provision as to the procedure involved.

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#### Commencement Information

- I2** Sch. Pt. II para. 17 wholly in force at 8.3.2000; Sch. Pt. II para. 17 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 17 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 17 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 17 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

- 18 A person shall not be prevented from being a member of a statutory committee merely because he has previously been a member of that committee.

#### Commencement Information

- I3** Sch. Pt. II para. 18 wholly in force at 8.3.2000; Sch. Pt. II para. 18 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 18 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 18 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(h\)\(i\)](#); Sch. Pt. II para. 18 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

- 19 <sup>[F4]</sup>Any member of a statutory committee (other than a co-opted member) shall hold office until he ceases to be a member of the General Council or, where he is a member of the committee by virtue of being Chairman of the General Council, until he ceases to be Chairman of the General Council.]

#### Textual Amendments

- F4** Sch. Pt. II para. 19 omitted (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(5)

#### Commencement Information

- I4** Sch. Pt. II para. 19 wholly in force at 8.3.2000; Sch. Pt. II para. 19 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 19 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 19 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 19 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

- 20 The General Council may by rules make provision with respect to any sub-committee of a statutory committee including, in particular, provision as to the functions and powers to be conferred on the sub-committee, its composition and its relationship with the statutory committee.

#### Commencement Information

- I5** Sch. Pt. II para. 20 wholly in force at 8.3.2000; Sch. Pt. II para. 20 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 20 in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)](#) [\(2\)\(b\)](#); Sch. Pt. II para. 20 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 20 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

- 21 (1) The General Council [<sup>F5</sup>shall][<sup>F5</sup>may] make rules regulating the procedure of the statutory committees and their sub-committees (if any) including, in particular, provision as to rules of evidence to be observed in proceedings before any such committee or sub-committee.

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- (2) Subject to any<sup>F6</sup> provision made by or under this Act,]<sup>F7</sup>including provision made by standing orders of the General Council by virtue of paragraph 15(2)(g),] each statutory committee and any sub-committee of such a committee may regulate its own procedure.

#### Textual Amendments

- F5** Words in Sch. Pt. II para. 21(1) substituted (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(6)(a)
- F6** Words in Sch. Pt. II para. 21(2) substituted (5.7.1994) by [1994 c. 17, s. 42, Sch. 2 para. 10\(3\)](#)
- F7** Words in Sch. Pt. II para. 21(2) inserted (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(6)(b)

#### Commencement Information

- I6** Sch. Pt. II para. 21 wholly in force at 8.3.2000; Sch. Pt. II para. 21 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 21 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art. 2\(1\)\(j\) \(2\)\(b\)](#); Sch. Pt. II para. 21 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767, art. 2\(i\)\(i\)](#); Sch. Pt. II para. 21 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217, art. 2](#)

- 22 (1) If it appears to the General Council that any statutory committee is failing to perform its functions adequately, the General Council may give a direction as to the proper performance of those functions.
- (2) Where the General Council, having given a direction under sub-paragraph (1), is satisfied that the committee has failed to comply with the direction, it may exercise any power of that committee or do any act or other thing authorised to be done by that committee.

#### Commencement Information

- I7** Sch. Pt. II para. 22 wholly in force at 8.3.2000; Sch. Pt. II para. 22 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 22 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art. 2\(1\)\(j\) \(2\)\(b\)](#); Sch. Pt. II para. 22 in force for certain purposes at 5.7.1999 by [S.I. 1999/1767, art. 2\(i\)\(i\)](#); Sch. Pt. II para. 22 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217, art. 2](#)

- 23 (1) The powers of any statutory committee may be exercised even though there is a vacancy among its members.
- (2) No proceedings of a statutory committee shall be invalidated by any defect in the appointment of a member.

#### Commencement Information

- I8** Sch. Pt. II para. 23 wholly in force at 8.3.2000; Sch. Pt. II para. 23 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 23 in force for specified purposes at 1.4.1998 by [S.I. 1998/872, art. 2\(1\)\(j\) \(2\)\(b\)](#); Sch. Pt. II para. 23 in force for certain purposes at 5.7.1999 by [1999/1767, art. 2\(i\)\(i\)](#); Sch. Pt. II para. 23 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217, art. 2](#)

- 24 (1) A person may be a member of more than one statutory committee.

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- (2) No member of the Professional Conduct Committee or the Health Committee shall take part in dealing with an allegation referred to either committee by another committee if he is also a member of the committee which referred the allegation.

**Commencement Information**

- 19** Sch. Pt. II para. 24 wholly in force at 8.3.2000; Sch. Pt. II para. 24 not in force at Royal Assent see s. 42(2)(4)(5); Sch. Pt. II para. 24(1) in force for specified purposes at 1.4.1998 by [S.I. 1998/872](#), [art. 2\(1\)\(j\)\(2\)\(b\)](#); Sch. Pt. II para. 24(1) in force for certain purposes at 5.7.1999 by [S.I. 1999/1767](#), [art. 2\(i\)\(i\)](#); Sch. Pt. II para. 24 in force at 8.3.2000 insofar as not already in force by [S.I. 2000/217](#), [art. 2](#)

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