



# Osteopaths Act 1993

## 1993 CHAPTER 21

### *Professional conduct and fitness to practise*

#### **26 Investigation of allegations: procedural rules.**

- (1) The General Council shall make rules as to the procedure to be followed by the Professional Conduct Committee or the Health Committee in considering any allegation under section 22 or 23.
- (2) The rules shall, in particular, include provision—
  - (a) empowering each Committee to refer to the other any allegation which it considers would be better dealt with by that other Committee;
  - (b) requiring the osteopath to whom the allegation relates to be given notice of the allegation;
  - (c) giving the osteopath an opportunity to put his case at a hearing if—
    - (i) before the end of the period of 28 days beginning with the date on which notice of the allegation is sent to him, he asks for a hearing; or
    - (ii) the Committee considers that a hearing is desirable;
  - (d) entitling the osteopath to be legally represented at any hearing in respect of the allegation;
  - (e) securing that—
    - (i) any hearing before the Professional Conduct Committee is held in public unless the Committee decides that it is in the interests of the person making the allegation, or of any person giving evidence or of any patient, to hold the hearing or any part of it in private; and
    - (ii) any hearing before the Health Committee is held in private unless the Committee considers that it is appropriate to hold the hearing or any part of it in public;
  - (f) requiring the osteopath to be notified by the Committee of its decision, its reasons for reaching that decision and of his right of appeal;
  - (g) requiring the person by whom the allegation was made to be notified by the Committee of its decision and of its reasons for reaching that decision;

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**Changes to legislation:** There are currently no known outstanding effects for the Osteopaths Act 1993, Section 26. (See end of Document for details)

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- (h) empowering the Committee to require persons to attend and give evidence or to produce documents;
  - (i) about the admissibility of evidence;
  - (j) enabling the Committee to administer oaths.
- (3) No person shall be required by any rules made under this section to give any evidence or produce any document or other material at a hearing held by either Committee which he could not be compelled to give or produce in civil proceedings in any court in that part of the United Kingdom in which the hearing takes place.

**Changes to legislation:**

There are currently no known outstanding effects for the Osteopaths Act 1993, Section 26.