

Statutory Instrument 2000 No. 3290

The General Chiropractic Council (Professional Conduct Committee) Rules Order of Council 2000

© Crown Copyright 2000

The legislation contained on this web site is subject to Crown Copyright protection. It may be reproduced free of charge provided that it is reproduced accurately and that the source and copyright status of the material is made evident to users.

It should be noted that the right to reproduce the text of Statutory Instruments does not extend to the Royal Arms and the Queen's Printer imprints.

The text of this Internet version of the Statutory Instrument has been prepared to reflect the text as it was Made. The authoritative version is the Queen's Printer copy published by The Stationery Office Limited as the **The General Chiropractic Council (Professional Conduct Committee) Rules Order of Council 2000**, ISBN 0 11 018967 1. [Purchase this item](#). For details of how to obtain an official copy see [How to obtain The Stationery Office Limited titles](#).

To ensure fast access over slow connections, large documents have been segmented into "chunks". Where you see a "continue" button at the bottom of the page of text, this indicates that there is another chunk of text available.

STATUTORY INSTRUMENTS

2000 No. 3290

CHIROPRACTORS

The General Chiropractic Council (Professional Conduct

Committee) Rules Order of Council 2000

Made

6th December 2000

Coming into force

11th December 2000

At the Council Chamber, Whitehall the 6th day of December 2000

By the Lords of Her Majesty's Most Honourable Privy Council.

Whereas in pursuance of sections 26 and 35(2) of, and paragraph 21 of Schedule 1 to, the Chiropractors Act 1994 ("the Act")[\[1\]](#), and of all other powers enabling it in that behalf, the General Chiropractic Council has made the General Chiropractic Council (Professional Conduct Committee) Rules 2000 as set out in the Schedule to this Order:

And whereas by section 35(1) of the Act such Rules shall not have effect until approved by the Privy Council:

Now, therefore, their Lordships, having taken the Rules into consideration, are pleased to, and do hereby, approve them.

This Order may be cited as the General Chiropractic Council (Professional Conduct Committee) Rules Order of Council 2000 and shall come into force on 11th December 2000.

A. K. Galloway

Clerk of the Privy Council

SCHEDULE

THE GENERAL CHIROPRACTIC COUNCIL (PROFESSIONAL CONDUCT COMMITTEE) RULES 2000

The General Chiropractic Council, in exercise of its powers under sections 26 and 35(2) of, and paragraph 21 of Schedule 1 to, the Chiropractors Act 1994[\[2\]](#), and of all other powers enabling it in that behalf, hereby makes the following Rules: -

PART I

Preliminary

Citation and Commencement

1. These Rules may be cited as the General Chiropractic Council (Professional Conduct Committee) Rules 2000, and shall come into force on 11th December 2000.

Interpretation

2. In these Rules -

"the Act" means the Chiropractors Act 1994;

"allegation" means an allegation falling within section 20(1) of the Act;

"the Committee" means the Professional Conduct Committee of the Council;

"the Council" means the General Chiropractic Council;

"the legal assessor" means a legal assessor appointed under section 27 of the Act and nominated by the Registrar under Rule 5(2);

"party" means the respondent or the Solicitor, and references to "the parties" shall be construed accordingly;

"the respondent" means the chiropractor to whom an allegation under consideration by the Committee relates;

"the Solicitor" means a solicitor appointed by the Registrar for the purposes of presenting the case for the allegation to a hearing held by the Committee.

PART II

Notice and decision as to manner of proceeding on allegations

Notice of allegation etc.

3. - (1) Where an allegation has been referred to the Committee under section 20(12)(b)(ii) of the Act or by the Health Committee by virtue of rules under section 26(2)(a) of the Act, the Committee shall meet as soon as practicable to consider whether in its view a hearing is desirable to deal with the allegation, for which

purpose it shall consider the nature of the allegation and any observations (or admissions) given by the respondent to the Investigating Committee, and, in the case of a reference from the Health Committee, any evidence given or submissions made to that Committee.

(2) As soon as practicable after that meeting, the Registrar shall give notice to the respondent, specifying the allegation formulated by the Investigating Committee which has been referred to the Committee and -

(a) if the Committee has determined to hold a hearing, notifying the date, time and place of the meeting of the Committee which will consider the allegation by way of a hearing; or

(b) if the Committee has not so determined, requiring the respondent, if he wishes to have the allegation considered at a hearing, to notify the Registrar in writing to that effect before the end of the period of 28 days beginning with the day on which that notice was sent to him.

(3) If the respondent notifies the Registrar under paragraph (2)(b) within the period there mentioned of his wish to have the allegation considered at a hearing, the Registrar shall give a further notice to the respondent notifying him of the date, time and place of the meeting of the Committee which will consider the allegation by way of a hearing.

(4) If the Committee has not determined under paragraph (1) that a hearing is desirable and the respondent has not requested a hearing pursuant to paragraph (2)(b), but the Committee reaches the view during its investigations and deliberations that the allegation should nonetheless be the subject of a hearing, it may then require one, and the Registrar shall in that event give notice to the respondent notifying him of the date, time and place of the meeting of the Committee which will consider the allegation by way of a hearing.

(5) A notice given pursuant to paragraphs (2)(a), (3) or (4) shall be served before the beginning of the period of 21 days ending with the date of the meeting of the Committee which will consider the allegation by way of a hearing.

(6) When the Registrar gives notice to the respondent pursuant to paragraphs (2)(a), (3) or (4), he shall also notify the person making the allegation concerned of the date, time and place of the meeting of the Committee which will consider the allegation by way of a hearing.

(7) Where a notice given to the respondent under paragraph (2)(b) is served by

being left at such an address or place as is mentioned in Rule 21(1) instead of being sent there by post, the reference in paragraph (2)(b) to the day on which that notice was sent to him shall be construed as a reference to the day on which it was so left.

Postponement

4. - (1) The Chairman of the Committee (or in the event of his being unavailable or there being no such Chairman in office, the Registrar) may, of his own motion or on the application of a party to the proceedings, postpone a hearing of which notice has been given pursuant to Rule 3(2)(a), (3) or (4) before the hearing begins.

(2) If the hearing is so postponed, the Registrar shall, as soon as practicable, give notice to the parties concerned of the postponement and of the further date, time and place of the meeting of the Committee at which the allegation will be considered by way of a hearing; and the Registrar shall also notify the person making the allegation of that date, time and place.

PART III

Procedure at hearing on allegation

Application of Part III and preliminary matters

5. - (1) This part applies in any case where the respondent requires a hearing in accordance with Rule 3(2)(b) or the Committee determines under Rule 3 that an allegation should be the subject of a hearing.

(2) Before the opening of the hearing the Registrar shall nominate a legal assessor to provide advice to the Committee in considering the allegation, and the Registrar shall secure that any such assessor is provided before the hearing with a copy of the allegation as formulated by the Investigating Committee.

Procedure at meeting considering the allegation

6. - (1) If the respondent does not appear the Committee shall call upon the Solicitor to produce evidence that notice has been given to the respondent under Rules 3(2)(a), (3) or (4) or 4(2) (as the case may be); and if the Committee is satisfied that it was so given, it may determine that proceedings on the allegation shall be heard and determined in the absence of the respondent.

(2) At the opening of the hearing, the allegation shall be read out by the Solicitor.

(3) When the allegation has been so read out, the respondent may -

(a) admit any of the facts alleged (in which case the facts admitted shall be taken as proved);

(b) submit an objection on grounds of law to any allegation or part of an allegation.

(4) If the respondent submits an objection on grounds of law under paragraph (3)(b), before determining the matter the Committee shall give the Solicitor an opportunity to address the Committee and shall consider the advice of the legal assessor.

(5) Subject to paragraph (9), if the Committee is satisfied after hearing the parties and consulting the legal assessor that an objection under paragraph (3)(b) is substantiated, the allegation or part of the allegation in relation to which it is so satisfied shall not be proceeded with further.

(6) Subject to paragraph (7), the order of proceedings in relation to any allegation with respect to which any of the material facts are not admitted by the respondent shall, unless the Committee directs otherwise, be as follows -

(a) the Solicitor shall open the case for the allegation, and shall call evidence in support of it;

(b) the respondent shall present his case, and may call evidence;

(c) the Solicitor shall have a right of reply by way of closing submissions, and with the leave of the Committee before making such submissions to call further evidence dealing only with the rebuttal of any matters raised by the respondent;

(d) the respondent may make closing submissions to the Committee.

(7) At the conclusion of the stage referred to in paragraph (6)(a), the Committee may determine (whether on submissions of the respondent or otherwise) that insufficient evidence has been adduced to satisfy it that the allegation was well founded and dismiss the allegation without hearing evidence for the respondent.

(8) If, after the conclusion of proceedings under paragraph (6), the Committee determines that the allegation is well founded, it may if it thinks fit hear further evidence or submissions from the parties for the purpose of determining the steps to be taken under subsections (3) and (4) of section 22 of the Act, and it shall in any

event afford the respondent the opportunity required by paragraph (11) of that section in respect of its exercise of its powers under subsection (4) of that section.

(9) Any witness called to give oral evidence may be cross-examined and re-examined, and may be questioned by the Committee and (with the leave of the Committee) by the legal assessor.

(10) Where all of the material facts of an allegation are admitted and the Committee is satisfied that the allegation is well founded, the Committee shall hear any explanation of the Solicitor of the circumstances surrounding the allegation so far as relevant, and shall hear any submissions in mitigation which the respondent wishes to make; and the Committee may if it thinks fit hear submissions or evidence for the purpose of determining the steps to be taken under subsections (3) and (4) of section 22 of the Act, and it shall in any event afford the respondent the opportunity required by paragraph (11) of that section in respect of its exercise of its powers under subsection (4) of that section.

(11) If it appears to the Committee that the particulars of an allegation as formulated by the Investigating Committee should be amended (whether in consequence of an objection under paragraph (3)(b) or at any other time) and that the amendment can be made without injustice, it may, after hearing the parties and consulting the legal assessor, amend the particulars to such extent as appears to the Committee to be necessary or desirable.

Evidence

7. - (1) Production of a certificate purporting to be under the hand of a competent officer of a court in the United Kingdom that a person has been convicted of a criminal offence, or an extract conviction of a court in Scotland, shall be conclusive evidence of the offence committed, and the only evidence which may be called by the respondent in connection with an allegation of a conviction so certified or extracted is evidence for the purpose of proving that he is not the person referred to in the certificate or extract.

(2) The Committee may receive oral, documentary or other evidence of any fact which appears to be relevant to the allegation before it, except that, where any matter tendered in evidence is such as would not be admissible in a court of criminal jurisdiction in the country in the United Kingdom in which the allegation is heard, it shall not be received unless the Committee is satisfied, after consulting the legal assessor, that it is desirable in the interests of making due inquiry that it should be so received, having regard to the justice of the case and the difficulty or expense of obtaining evidence which would be so admissible.

(3) Without prejudice to the generality of paragraph (2), if satisfied that the interests of justice will not be prejudiced thereby, the Committee may admit in

evidence without strict proof copies of documents and other material the originals of which would be admissible, and (without prejudice to the foregoing) maps, plans, photographs, certificates of conviction and sentence, certificates of registration of birth, marriage or death, records (including registers) of the Council, notes of proceedings before the Committee, the Health Committee or the Investigating Committee and any other tribunals and the records of such tribunals; and the Committee may take note without strict proof of the professional qualifications, registration, address and identity of the respondent and of any other person.

(4) A party may admit a fact, and a fact so admitted may be received in evidence without further proof.

(5) The Committee may of its own motion or on the application of a party require a witness to appear before it and give evidence, and may require a person to attend to produce documents; and it shall call the person making the allegation to appear before it if that person is not called as a witness by the Solicitor, unless in the view of the Committee there are special reasons why that person should not, or is not able, so to appear.

(6) Without the leave of the Committee, a person who is not a party to the proceedings or the person making the allegation concerned may not give evidence on any matter (other than evidence as to the giving, service or receipt of notice or other documents, evidence to comprise only the production or verification of documents or evidence in rebuttal of evidence given by another person) unless he has been absent from the proceedings until called to give evidence.

(7) The Committee may administer oaths.

(8) The posting or leaving of a notice under Rule 21(1) for the purposes of Rules 3(2), (3) or (4), 4 or 10(4) may be proved by a certificate in writing purporting to be signed by the person posting or leaving it, to which there shall be annexed (in the case of posting) any confirmation or the posting issued by or on behalf of the Post Office or other postal operator.

Production of documents etc.

8. - (1) The Solicitor shall at a reasonable time before the hearing send the respondent a list of the names of the persons he proposes to call to give evidence and of any documents he proposes to adduce in evidence; and he shall on the request of the respondent send him a copy of any statement of evidence made by such a person and of any such document, and of any other statutory declaration, affidavit, explanation or other statement sent to the Council by the person making the allegation or made by any person to be called by the Solicitor to give evidence and of any communication between the Solicitor and the person making the allegation or such a witness.

(2) The respondent shall at a reasonable time before the hearing send the Solicitor a list of the names of the persons he proposes to call to give evidence and of any documents he proposes to adduce in evidence; and he shall on the request of the Solicitor send him a copy of any statement of evidence made by such a person and of any such document.

(3) The respondent and the Solicitor may at any time give the other notice to produce any document relevant to the allegation in question and which is alleged to be in the possession of that other; and on receipt of such a notice the respondent or Solicitor shall use reasonable endeavours to produce the document.

(4) If a party fails to produce any document in accordance with paragraph (3), the Committee may (notwithstanding that the hearing has not begun) require it to be produced to the Registrar so that it may be made available to the party giving notice under that paragraph.

(5) The Solicitor and the respondent shall, as soon as practicable after supplying the other with the list referred to in paragraphs (1) and (2), send to the Registrar three copies of the list and of any statement of evidence made by any person listed in it and of any other documents referred to in it; and the Registrar shall secure that the legal assessor and members of the Committee are provided with a copy of the same.

(6) Nothing in paragraphs (1) and (3) shall require the Solicitor to release a document or other material in the nature of advice between him and the Council, and no party shall be required to give any evidence or produce any document or other material under these Rules 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.

Hearing to be in public

9. - (1) Subject to Rules 6(1) and 10(5) and to the following provisions of this Rule, the hearing shall take place in the presence of the parties or their representatives and in public.

(2) The Committee may, if satisfied that it would be in the interests of the person making the allegation, or of any person giving evidence or of any patient, determine that the public should be excluded from being present in any part of the proceedings.

(3) The Committee may deliberate together in the absence of the parties and their representatives and of the public at any time, subject always to Rule 3(2) and (3) of the General Chiropractic Council (Functions of Legal Assessors) Rules 2000 where they receive the advice of the legal assessor.

Adjournment of hearing

10. - (1) The Committee may adjourn the hearing from time to time as it thinks fit.

(2) The Committee may in particular adjourn any hearing after it has determined that an allegation is well founded for the purposes of allowing time to deliberate on the terms of any conditions of practice order that it is minded to make.

(3) Unless adjourned proceedings are to resume (so far as they are to be in the presence of the parties) at a time, date or place not determined at the time of adjournment, upon adjourning the Committee shall announce the time, date and place of the resumption of proceedings which are to be in the presence of the parties.

(4) If an adjournment of proceedings which are to be in the presence of the parties is to a time, date or place not determined at the time of adjournment, the Registrar shall secure that reasonable notice is given to the parties of the time, date and place of the resumption; and the Registrar shall also notify the person making the allegation of that time, date and place.

(5) If, on a hearing resuming after adjournment, a party who was present in the earlier proceedings is absent, the Committee may proceed in that party's absence if it is satisfied that the time, date and place of the resumption were announced under paragraph (3) or notice under paragraph (4) was duly given to the party.

Representation

11. - (1) At any hearing, the respondent shall be entitled to be legally represented.

(2) The Solicitor may, with the approval of the Registrar, instruct Counsel to present the case for the allegation.

Scope of the proceedings

12. - (1) The Committee may consider and determine at the same hearing more than one allegation against the respondent.

(2) Unless the Committee is of the view that there is a risk of conflict of interest between respondents, the Committee may consider and determine at the same hearing allegations against different respondents where the subject matter of each of the allegations is the same or substantially related one to another.

Notification of person making allegation

13. Any notification of the person making the allegation under Rules 3(6), 4(2) or 10(4) may be sent pursuant to Rule 21(2) to such address of that person as the Registrar considers appropriate; but any failure or delay in the delivery of a notification so posted shall not invalidate, or in any way prejudice the standing of, any proceedings under this Part.

PART IV

Review of conditions of practice and suspension orders

Application of Part IV and interpretation

14. - (1) This Part applies where the Committee proposes to exercise its powers under section 22(7) or (9) of the Act.

(2) In this Part, "the relevant chiropractor" means the chiropractor in respect of whom the Committee is proposing to exercise those powers.

Preliminary matters and right of appearance

15. - (1) For the purpose of determining whether to exercise those powers and, if so, the steps to be taken under section 22(7) or (9) of the Act, the Committee may make such inquiry, receive such statements and evidence and procure the production of such expert or other reports, as it thinks desirable.

(2) Before determining the steps to be taken under section 22(7) or (9) of the Act in consequence of such inquiry, the Committee shall by notice given by the Registrar to the relevant chiropractor -

(a) indicate which of the heads of paragraphs (a) to (e) of section 22(7) or (as the case may be) paragraphs (a) and (b) of section 22(9) are those under which it is proposing to act;

(b) request the chiropractor to notify the Registrar in writing, before the end of the period of 28 days beginning with the day on which that notice was served on him, whether he wishes to appear before the Committee pursuant to section 22(11) of the Act; and

(c) request the relevant chiropractor, if he does not wish so to appear, to make within that period any representations in writing to the Committee concerning the matter.

(3) If the relevant chiropractor indicates within the period mentioned in paragraph (2)(b) that he wishes so to appear, the Registrar shall give notice to him specifying the date, time and place of the meeting of the Committee at which he is to appear.

(4) The Registrar shall send with the notice given under paragraph (2) copies of any reports, statements or other documents which the Committee has considered and

which in the view of the Committee are material to the issue (not being reports, statements or other documents of which the relevant chiropractor has already received copies in connection with proceedings under Part III of these Rules or under Rule 17 or which were procured or provided by or on behalf of the relevant chiropractor).

(5) The Chairman of the Committee (or in the event of his being unavailable or there being no such Chairman in office, the Registrar) may, whether of his own motion or on the application of the relevant chiropractor, postpone any meeting of which notice has been given under Rule 15(3), in which event the Registrar shall give a further notice specifying the date and time to which the meeting at which he is to appear has been postponed, and the place of the meeting.

Manner of proceeding

16. - (1) The Committee may by notice given by the Registrar request the relevant chiropractor to attend before the Committee even if that chiropractor has not requested so to appear under Rule 15.

(2) In determining the steps to be taken under section 22(7) or (9) of the Act, the Committee shall not take into account any evidence or other matters relating to issues of fact unless the relevant chiropractor has been given an opportunity to consider and comment on the evidence or other matter, by the Registrar providing him with the documents referred to in Rule 15(4) and with any other material documents which have subsequently been procured by the Committee for the purposes of this Part, and (if the relevant chiropractor has not indicated within the period mentioned in subparagraph (b) of Rule 15(2) that he wishes to appear before the Committee and he does not appear under paragraph (1) above) by the Committee giving him an opportunity to make representations to it in writing before the expiry of the period mentioned in that subparagraph or (if later) before the expiry of the period of 14 days beginning with the day on which such documents were served on him.

(3) At any appearance before the Committee under this Part, the relevant chiropractor may be legally represented.

(4) At any such appearance, the relevant chiropractor may give evidence and call witnesses, and he and such witnesses may be questioned by the Committee.

(5) Where the relevant chiropractor is to appear before the Committee, he may, at the time that he notifies the Registrar under Rule 15 that he wishes to appear or (if later) before the expiry of the period of 14 days beginning with the day on which a copy of any report or statement was served on him, request the Committee in writing that the author of any report or statement of which he has been sent a copy under Rule 15(4) or paragraph (2) above should appear before the Committee to adduce the report or statement by way of oral evidence and to be questioned by the relevant

chiropractor; and if he makes such a request the report or statement shall not be taken into account by the Committee without such appearance by the author unless the Committee is satisfied that it is desirable in the interests of making due inquiry that it should be taken into account, having regard to the justice of the case and the difficulty or expense of obtaining such appearance.

(6) The Committee may arrange for the attendance of the author of any report or statement of which the relevant chiropractor has been sent a copy under Rule 15(4) or paragraph (2) above, even if no request is made by the relevant chiropractor under paragraph (5), in order that the author may be questioned by the Committee, and if it does so and the relevant chiropractor has elected to appear before the Committee pursuant to section 22(11) of the Act, the author may also be questioned by him.

(7) The Committee may from time to time adjourn any proceedings before it at which the relevant chiropractor is to be present, whether to enable attendance of the author of a report or statement under paragraphs (5) or (6) or for any other reason; and the relevant chiropractor shall be given reasonable notice by the Registrar of the date, time and place of the resumption of such adjourned proceedings at which he is to be present unless they were announced at the time of adjournment and the relevant chiropractor or his legal representative were than present.

(8) The Committee may take the advice of a legal assessor appointed under section 27 of the Act in discharging its functions under this Part; and it shall secure unless otherwise agreed by the relevant chiropractor or his representative that such an assessor is present at any appearance of the relevant chiropractor before the Committee, and any legal assessor may with the leave of the Committee question any witness attending before it.

(9) If the relevant chiropractor has indicated that he wishes to appear -

(a) the proceedings connected with his appearance shall be in public unless the Committee is satisfied that it is in the interests of the person making the allegation which gave rise to the conditions of practice order or suspension order concerned, or of any person giving evidence or of any patient, that the public should be excluded from being present in any part of those proceedings;

(b) nothing in this Part shall preclude the Committee deliberating together in the absence of the relevant chiropractor (and any representative) and of the public at any time; and

(c) if the relevant chiropractor does not appear and the Committee is satisfied that notice has been given to him under Rule 15(3) or (in the case of an

adjournment) notice has been given under paragraph (7) or the announcement referred to in that paragraph was made, it may proceed in his absence.

PART V

General

Procedure on allegations where there is no hearing

17. - (1) This Rule applies where the respondent to an allegation does not require a hearing in accordance with Rule 3(2)(b) and the Committee does not determine under Rule 3(1) or (4) that the allegation should be the subject of a hearing.

(2) The Committee shall not, in considering the allegation and determining the steps to be taken under section 22(3) or (4) of the Act, take into account any evidence or other matters relating to issues of fact unless the respondent and the person making the allegation have been given an opportunity to consider and comment on the evidence or other matter.

(3) Subject to paragraph (2), in considering the allegation and determining any steps to be taken under section 22(3) or (4) of the Act, the Committee may make such inquiry in such manner as it thinks fair and proper; but it shall afford the respondent the opportunity required by subsection (11) of section 22 of the Act in respect of its exercise of its powers under subsection (4) of that section.

Notification of decisions

18. - (1) As soon as practicable after the Committee has made its decision on whether an allegation is well founded and as to any steps to be taken under section 22(3) and (4) of the Act, whether or not that decision was announced at the conclusion of a hearing under Part III the Committee shall, by notice given by the Registrar, notify -

(a) the respondent of its decision and its reasons for reaching it, and (if the allegation is found to be well founded) of the respondent's right of appeal under section 31 of the Act; and

(b) the person making the allegation of its decision and its reasons for reaching it.

(2) As soon as practicable after the Committee has determined under Part IV the steps that it is to take under section 22(7) or (9) of the Act the Committee shall, by notice given by the Registrar, notify the chiropractor to whom the decision relates of its decision and its reasons for reaching it, and (so far as relevant) of his right of appeal under section 31 of the Act.

Voting

19. - (1) The Committee shall vote on any matter to be determined by the Committee in considering an allegation, or in deciding under Part IV the steps to be taken under section 22(7) or (9) of the Act, by the Chairman of the Committee calling upon members present to signify their votes by raising their hands, and by the Chairman then announcing his own vote (followed by any casting vote as provided for in paragraph 36(3) or (4) of Schedule 1 to the Act) and declaring to the Committee how the matter has been decided.

(2) Any member may challenge any decision so declared, in which event the Chairman shall again announce the motion, and call each member's name in turn, each member on being so called announcing his own vote, being either "yes" or "no" to the motion put, and the Chairman shall vote last, making first his ordinary vote and then (so far as relevant) any casting vote, and then declare the result.

(3) No member present may abstain.

Referral to Health Committee

20. - (1) If in the course of the investigation of and its deliberations on an allegation, the Committee is of the view that a substantial issue arises whether the ability of the respondent to practise as a chiropractor is seriously impaired because of his physical or mental condition, it may refer the matter to the Health Committee, and the Health Committee shall deal with the matter as if the allegation were to that effect.

(2) The power under paragraph (1) may be exercised notwithstanding that a hearing under Part III has begun, provided that the Committee has not voted on its decision whether the allegation is well founded.

(3) The Committee shall take no further action on the allegation if, following a reference under this Rule, the Health Committee finds that the ability of the respondent to practise as a chiropractor is seriously impaired because of his physical or mental condition (in which event the matter shall be finally disposed of by the Health Committee).

(4) The Committee shall continue under Part III or Rule 17 (as the case may be) with its consideration of the allegation and dispose of it accordingly if, following a reference under this Rule, the Health Committee certifies its opinion to the

Committee that the ability of the respondent to practise as a chiropractor is not seriously impaired because of his physical or mental condition.

Service and giving of documents

21. - (1) Any notice, document or other matter to be given to or served on a chiropractor by the Registrar under these Rules may be served by sending it by a postal service in which delivery or receipt is recorded to, or leaving it at, the address of the chiropractor as appearing in the register pursuant to section 6(1)(b) of the Act, or if his last known place of residence differs from his address in the register and it appears to the Registrar that, if the notice, document or other matter is sent to or left at that place of residence, it is more likely to reach him, it may be served by sending it by such a postal service to or leaving it at his last known place of residence.

(2) Any other notice, document or other matter to be given to or served on a person under these Rules may be sent by ordinary post.

(3) The address for service of the Registrar for the purposes of paragraph (2) shall be the principal office of the Council, for a chiropractor shall be any such address or place as is mentioned in paragraph (1) (treating the second reference in that paragraph to the Registrar as a reference to the person sending the matter in question) and for the Solicitor shall be the address at which he ordinarily practises, or shall be such other address as any of them may specify for the purpose.

Given under the common seal of the General Chiropractic Council this

26th day October 2000

L.S.

Ian Michael Hutchinson
Member

Linda J. Stone
Member

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under the Chiropractors Act 1994, approves Rules made by the General Chiropractic Council which provide for the procedure to be followed by the Professional Conduct Committee in considering allegations as to a chiropractor's conduct or competence and in dealing with existing conditions of practice and suspension orders.

Notes:

[1] 1994 c. 17.[back](#)

[2] 1994 c. 17.[back](#)

ISBN 0 11 018967 1

[Other UK SIs](#) | [Home](#) | [National Assembly for Wales Statutory Instruments](#) | [Scottish Statutory Instruments](#) | [Statutory Rules of Northern Ireland](#) | [Her Majesty's Stationery Office](#)

We welcome your [comments](#) on this site

© Crown copyright 2000

Prepared 5 January 2001