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STATUTORY INSTRUMENTS

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**1999 No. 1857**

**CHIROPRACTORS**

**The General Chiropractic Council (Registration During  
Transitional Period) Rules Order of Council 1999**

<i>Made</i>	<i>10th June 1999</i>
<i>Coming into force</i>	<i>15th June 1999</i>

At the Council Chamber, Whitehall, the 10th day of June 1999

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

Whereas in pursuance of sections 3(2) and (5), 4(2), (4) and (9) to (11), 6(2) to (4) and 35(2), of the Chiropractors Act 1994[[1](#)] the General Chiropractic Council has made the General Chiropractic Council (Registration During Transitional Period) Rules 1999 as set out in the Schedule to this Order:

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

Now, therefore, Their Lordships, having taken the said Rules into consideration,

are hereby pleased to, and do hereby, approve the same.

This Order may be cited as the General Chiropractic Council (Registration During Transitional Period) Rules Order of Council 1999 and shall come into force on 15th June 1999.

The General Chiropractic Council (Registration During Transitional Period) Rules  
1999

The General Chiropractic Council, in exercise of its powers under sections 3(2) and (5), 4(2), (4) and (9) to (11), 6(2) to (4) and 35(2) of the Chiropractors Act 1994<sup>[2]</sup>, and of all other powers enabling it in that behalf, hereby makes the following Rules:-

**Citation and commencement**

1. These Rules may be cited as the General Chiropractic Council (Registration During Transitional Period) Rules 1999, and shall come into force on 15th June 1999.

**Interpretation**

2. - (1) In these Rules-

"the Act" means the Chiropractors Act 1994;

"applicant" means (except in Rule 8) a person applying for registration under Rule 3;

"the prescribed test of competence" means the test described in Rule 6;

"registration" means registration as a registered chiropractor;

"required undertaking" means the undertaking required by section 4(2)(f) of the Act; and

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

(2) Two people are to be treated as related by birth or marriage for the purposes of these Rules if they are spouses of each other or if one or the spouse of one of them bears to the other or spouse of the other a relationship of lineal descendant, brother, sister, nephew, niece or first cousin; and "spouse" for this purpose includes a former

spouse and an unmarried partner of the same or the opposite sex.

### **Applications for registration during transitional period**

**3.** - (1) An application for registration made during the transitional period shall be made to the Registrar in writing in the form set out in the Schedule, and shall be accompanied by the fee prescribed by Rule 9.

(2) The applicant shall provide the following in relation to any such application-

(a) a reference as to good character from a person unrelated to the applicant by birth or marriage, being a person of good standing in the community who has known the applicant for at least four years and who is acceptable to the Registrar (including a solicitor, accountant, bank manager, Justice of the Peace, Minister of the Church, Imam, Rabbi, or similar religious official who appears to the Registrar to be appropriate);

(b) subject to paragraph (5), a report as to the physical and mental health of the applicant meeting the requirements of that paragraph;

(c) except in the case of an application for conditional registration and subject to paragraph (3), evidence of the applicant having a recognised qualification comprising the document conferring it or an original certificate issued by the institution granting it that it has conferred the qualification on the applicant;

(d) so far as relevant, all the other particulars specified in the form in the Schedule; and

(e) such other information or documents as the Registrar may reasonably require for the purposes of determining the application.

(3) If the applicant does not hold a qualification recognised under section 14 of the Act, an applicant for registration as a fully registered chiropractor during the transitional period shall additionally provide evidence acceptable to the Registrar that he is to be treated as having such a qualification by virtue of meeting the requirements of section 3(3) of the Act.

(4) In the case of an application for registration as a conditionally registered chiropractor, the applicant shall additionally provide-

(a) evidence acceptable to the Registrar that he meets the requirements of section 4(2)(d) of the Act; or

(b) if section 4(6) of the Act applies or appears likely to apply, the document conferring any qualification in chiropractic which is not a recognised qualification but which has not been refused recognition by the General Council, or an original certificate issued by the institution granting the qualification that it has conferred it on the applicant.

(5) The report given under paragraph (2)(b) shall be given by the applicant's medical practitioner, who must not be related to the applicant by birth or marriage and must have known the applicant for a period of at least four years; but if the Registrar is satisfied that because these conditions cannot be met, no such report can be given, the Registrar may satisfy himself as to the mental and physical health of the applicant (so far as he considers it necessary to do so having regard to any other information available under Rule 5(2) or examination required under Rule 5(3)) by a report given by a registered medical practitioner who, in giving the report, relies on the medical records of the applicant made by registered medical practitioners of whom the applicant was a patient (or by partners of such practitioners) for a period in aggregate of at least four years.

#### **Lawful, safe and competent practice**

4. - (1) The question whether an applicant has spent any part of his working time in the lawful, safe and competent practice of chiropractic for the purposes of sections 3(3) and 4(2)(d) of the Act shall be determined in accordance with this Rule.

(2) In determining that question, the Registrar shall have regard, amongst other matters, to the period during which the applicant has been registered on a chiropractic register or maintained professional indemnity insurance in respect of a chiropractic practice, or during which he has in other circumstances carried out the work of a chiropractor, and to the nature and extent of his practice during any such period.

(3) Where, during any period taken into account for the purposes of section 3(3) or 4(2)(d) of the Act, an applicant has practised chiropractic in a place outside the United Kingdom, and the practice of chiropractic there was prohibited unless legal requirements relating to it were complied with, the applicant shall satisfy the Registrar that he has complied with those requirements in order to be treated as having spent that period in the lawful practice of chiropractic.

(4) In determining whether the applicant has practised chiropractic safely, the Registrar shall have regard to any complaint made to a professional regulatory body on whose register, roll or list the applicant is or has been entered, any claim made under a contract of insurance providing professional indemnity to the applicant, proceedings (whether criminal or civil) brought against the applicant in connection

with his practice of chiropractic, and any other matter which appears to the Registrar to be relevant to the issue.

(5) In determining whether an applicant has practised chiropractic competently, the Registrar shall have regard to the provisions of the required standard of proficiency, together with any other matter which appears to the Registrar to be relevant to the issue.

(6) In determining whether an applicant has spent a part of his working time in the lawful, safe and competent practice of chiropractic (and if so, whether it is a substantial part), the Registrar may if he thinks it desirable from time to time require from the applicant pursuant to Rule 3(2)(e), (3) or (4)(a) any information which is in addition to that provided with the application for registration and may require the applicant to be interviewed by the Education Committee (or a sub-committee of the Education Committee) or by a person nominated by the Registrar, or to be visited at any place where he practises chiropractic by a person so nominated; and the Registrar may obtain information from any other person or source as he considers appropriate.

(7) In this Rule-

"chiropractic register" means a register, roll or list kept by a professional regulatory body of persons practising chiropractic; and

"professional regulatory body" means a body, whether incorporated or not, which keeps a register of persons who have satisfied the body (whether by the passing of an examination or by some other means) that they are competent to practise chiropractic.

### **Other conditions of registration**

**5.** - (1) In order to satisfy himself about the good character of the applicant, the Registrar shall take account of the reference provided under Rule 3(2)(a), any criminal offence for which the applicant has been convicted, and any other matters which appear to the Registrar to be relevant to the issue.

(2) In order to satisfy himself about the physical and mental health of the applicant, the Registrar shall take account of any report provided under Rule 3(2)(b), and any other matters which appear to the Registrar to be relevant to the issue.

(3) In satisfying himself under paragraph (1) or (2), the Registrar may if he thinks it desirable require from the applicant any information which is in addition to that required by Rule 3, and in relation to paragraph (2) may require the applicant to be examined by a registered medical practitioner nominated by the Registrar.

### **Prescribed test of competence**

**6.** - (1) The Registrar may, in relation to an application for conditional registration, and having regard to any information provided or obtained under Rule 3 or 4 and the proposed terms of the required undertaking, require the applicant to pass the test of competence prescribed by the following provisions of this Rule, or such part of it as the Registrar considers appropriate (after consulting the Education Committee or a sub-committee of the Education Committee so far as he considers it necessary).

(2) The prescribed test of competence shall comprise a test conducted as a written or oral test (or both) covering the following heads for the purposes of determining whether the applicant meets the required standard of proficiency in relation to them-

- (a) knowledge and understanding of the ethical basis and holistic nature of the practice of chiropractic;
- (b) medical and scientific knowledge relevant to the practice of chiropractic;
- (c) clinical assessment, including physical examination before and during treatment, interview and case history;
- (d) diagnosis or clinical impression;
- (e) the selection of appropriate treatment;
- (f) the delivery of treatment and evaluation of the response to treatment;
- (g) the giving of advice concerning treatment, treatment dependence, minimisation of recurrence or the need for further treatment, and related matters;
- (h) the obtaining of consent to treatment;
- (i) communication with other chiropractors, general medical practitioners and other health professionals, including assessment of the need for second opinions or for referrals;
- (j) record keeping.

(3) The prescribed test of competence may if the Registrar so requires include a test requiring a practical demonstration by the applicant.

(4) The prescribed test of competence shall be conducted by examiners appointed by the General Council, who shall be persons who have successfully completed a course of training approved by the General Council in the methods of assessing an applicant undergoing the test of competence, and who-

(a) as regards a test of competence conducted at any time, are fully registered chiropractors of not less than 5 years' professional experience, or

(b) as regards a test of competence conducted during the transitional period, are members of the General Council appointed under paragraph 44 of Schedule 1 to the Act (chiropractic members), or are chiropractors who have not less than five years' professional experience or who have, in the period of five years ending with the day on which these Rules come into force, been appointed as an examiner in chiropractic by a school of chiropractic in respect of a qualification which has not been refused recognition under section 14 of the Act.

### **Required undertaking**

7. - (1) The additional training and experience which the Registrar may specify in respect of the required undertaking to be given by an applicant for conditional registration is training and experience in such of the matters set out in Rule 6(2) as, in the opinion of the Registrar (having consulted the Education Committee or a sub-committee of the Education Committee in such cases as the Registrar considers appropriate), are necessary to enable the applicant to meet the required standard of proficiency.

(2) In considering whether it is necessary for an applicant to undertake additional training or to acquire additional experience, the Registrar may have regard to any interviews with the applicant and any visits to any place where the applicant practises chiropractic (including any interviews and visits made under Rule 4(6)), any assessment of clinical competence of the applicant, and any other matter which appears to the Registrar to be relevant.

(3) The conditions with which the Registrar may require an applicant to undertake to comply in the required undertaking are-

(a) a condition that the applicant passes the test of competence referred to in paragraph (4); and

(b) a condition that, for such period as may be specified by the Registrar (whether by reference to the passing of such a test of competence or

otherwise), the applicant refrains from carrying out any treatment or technique in respect of which the applicant has undertaken to complete additional training or acquire additional experience except in so far as such treatment or technique is administered in the course of that training or acquisition of that experience as specified by the Registrar pursuant to paragraph (1).

(4) The test of competence referred to in paragraph (3)(a) is a test of competence in such of the matters set out in Rule 6(2) as are those in respect of which the applicant has undertaken to complete additional training or acquire additional experience.

### **Conversion to full registration**

**8.** - (1) The conditional registration of a chiropractor shall be converted to full registration upon the payment by the chiropractor of a fee of £250 and the making of an application in writing to the Registrar signed by the applicant, if-

(a) he satisfies the Registrar that for a period of at least five years before the application is made (which period need not be continuous) he has spent a substantial part of his working time in the lawful, safe and competent practice of chiropractic;

(b) he has acquired a recognised qualification; or

(c) he has fulfilled any required undertaking.

(2) For the purposes of paragraph (1)(a), no account shall be taken of any work done by the applicant before the beginning of the period of seven years ending with the opening of the register, and the issue in paragraph (1)(a) shall be determined by the Registrar in accordance with Rule 4(2) to (7) (as if the reference in Rule 4(3) to section 3(3) or 4(2)(d) of the Act were a reference to Rule 8(1)(a) of these Rules and as if in Rule 4(6) the words "pursuant to Rule 3(2)(e), (3) or (4)(a)" were omitted).

(3) In connection with any application under paragraph (1) falling into sub-paragraph (a) of that paragraph, the applicant shall provide evidence acceptable to the Registrar that he meets the requirement of that sub-paragraph.

(4) In connection with any application under paragraph (1) falling into sub-paragraph (b) of that paragraph, the applicant shall provide evidence of having acquired the recognised qualification comprising the document conferring it or an original certificate issued by the institution granting it that it has conferred the

qualification on him.

## **Fees**

**9.** - (1) The fee prescribed for the purposes of sections 3(2)(a) and 4(2)(a) of the Act for any application for registration made during the transitional period shall be-

(a) £100 in respect of an applicant who satisfies the Registrar that, by virtue of sickness or other reason, he does not intend to engage in the practice of chiropractic during the relevant period within the United Kingdom, the Channel Islands, the Isle of Man or a European Economic Area State, or

(b) in any other case-

(i) in respect of an application which is made within the period of 12 months beginning on the day on which these Rules come into force, £1,000;

(ii) in respect of an application which is made after that period, £1,250.

(2) The Registrar may refuse to make an entry in the register if any fee provided for in paragraph (1) or in Rule 8(1) (as the case may be) has not been paid.

(3) In this Rule, "European Economic Area State" means a State which is a contracting party to the European Economic Area Agreement, and for this purpose the "European Economic Area Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992<sup>[3]</sup> as adjusted by the Protocol signed at Brussels on 17th March 1993<sup>[4]</sup>.

(4) In paragraph (1)(a), "the relevant period" means, in the case of registration first made in the year 1999 or 2000, the period beginning with the day on which the registration is made and ending with 31st December 2000, and in any other case means the period beginning with the day on which the registration is made and ending with 31st December 2001.

*A.K. Galloway*

Clerk of the Privy Council

Given under the common seal of the General Chiropractic Council this

27th day of May 1999

***L.S.***

*Susan L. Steward*  
Member

*Carla I. How*  
Member

## SCHEDULE

Article 3(1)

### FORM OF APPLICATION FOR REGISTRATION DURING TRANSITIONAL PERIOD

*Herein is attached a copy of the Form for Application for Registration During  
the Transitional Period*

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*Notes:*

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

[2] 1994 c. 17; *see* section 43 for the meaning of "prescribed".[back](#)

[3] Command 203/2073 and OJ No. L1. p. 3.[back](#)

[4] Command 2183 and OJ No. L1. p. 572.[back](#)

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Prepared 7 July 1999