
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 311

The Council of the Pharmaceutical Society
of Northern Ireland (Fitness to Practise and
Disqualification) Regulations (Northern Ireland) 2012

PART 3

Consideration by the Scrutiny Committee

Notices

13.—(1) In the case of a fitness to practise allegation, the information to be provided by the registrar under paragraphs 6(2)(b) or (3)(c) of Schedule 3 to the Order or under regulation 5(10) must be in a notice which is to be sent to the registered person concerned and the informant, if any, no later than 10 days after and including the date on which the relevant decision was made or, as the case may be, the allegation was referred.

(2) In the case of a disqualification allegation, the secretary to the Scrutiny Committee must inform the section 80 party of the decision of the Scrutiny Committee to refer, or not to refer, the allegation, and must do so in a notice of decision which is to be sent to the party no later than 10 days after and including the date on which the relevant decision was made.

(3) The notice under paragraph (1) or (2) must include the reasons for the decision or the referral and be accompanied by any legal advice considered by the Scrutiny Committee or the registrar.

(4) Where the Scrutiny Committee has decided not to refer an allegation to the Statutory Committee, the notice under paragraph (1) or (2) must inform the person concerned that the Scrutiny Committee may nevertheless reconsider the allegation in the circumstances set out in regulation 14.

(5) Where the Scrutiny Committee has decided to dispose of the allegation by agreeing undertakings or issuing a warning, the notice under paragraph (1) or (2) must, subject to paragraph (6), be accompanied by a statement setting out the undertakings or the warning.

(6) The statement referred to in paragraph (5) must not be sent to the informant if it includes undertakings relating to the health of a person concerned.

(7) If the statement relates to undertakings, it must also state, in terms, that if the Scrutiny Committee subsequently receives information that those undertakings have not been complied with, it may—

- (a) refer the original allegation to the Statutory Committee and treat the failure to comply with the undertakings as a separate allegation of misconduct and refer that allegation to the Statutory Committee; or
- (b) determine not to refer the original allegation to the Statutory Committee but treat the failure to comply with the undertakings as a separate allegation of misconduct and refer that allegation to the Statutory Committee.

(8) Where the Scrutiny Committee or the registrar has referred the matter to the Statutory Committee, the notice under paragraph (1) or (2)—

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- (a) must particularise the matters to be referred; and
- (b) where the Scrutiny Committee or the registrar is of the view that the Statutory Committee should consider making an interim order, state the reasons for its view.