
DRAFT STATUTORY INSTRUMENTS

2010 No.

The Pharmacy Order 2010

PART 5

**Education, training and acquisition of experience
and continuing professional development**

Visitors

45.—(1) The Council may appoint persons (“visitors”) to visit any place at which, or any institution or other provider by which, or under whose direction—

- (a) any relevant course of education or training is, or is proposed to be, given;
- (b) any examination or other assessment is, or is proposed to be, held in connection with any such course; or
- (c) any test of competence is, or is proposed to be, conducted in connection with any such course or for any other purposes connected with this Order.

(2) For the purposes of this article, “test of competence” includes such tests of proficiency in the knowledge and use of English as the Council may require.

(3) In this article, “relevant course of education or training” means—

- (a) any course of education or training which forms, or is intended to form, part of an approved course of education or training; or
- (b) any course which a registrant may be required to undergo for the purpose of applying for an annotation in respect of a specialisation to be made to an entry in a part of the Register in accordance with rules made by the Council under article 27.

(4) No visitor may exercise the functions of a visitor under this Order in relation to—

- (a) any place at which that visitor regularly gives instruction in any subject; or
- (b) any institution or other provider with which that visitor has, in the opinion of the Council, a significant connection.

(5) A person is not prevented from being a visitor merely because that person is a member of the Council or any of its committees; but no person may be a visitor if that person is employed by the Council.

(6) Visitors must be selected with due regard to the profession with which the education and training they are to report on is concerned and at least one of the visitors must be entered in a part of the Register which relates to that profession.

(7) Where a visitor visits any place or institution or other provider in the exercise of the functions of a visitor under this article, the visitor—

- (a) must report to the Council—

- (i) on the nature, content and quality of the instruction given, or to be given, and the facilities provided, or to be provided, at that place or by that institution or provider, and
 - (ii) on such other matters (if any) as the Council may require; and
- (b) may, having regard to the contents of the report in so far as it relates to the matters referred to in sub-paragraph (a)(i), send a copy of the report to the inspectorate established under article 8(1).
- (8) Requirements of the kind mentioned in paragraph (7)(a)(ii) may be imposed by the Council—
 - (a) generally in relation to all visits made to a specified kind of place or institution or other provider or in respect of a specified type of course; or
 - (b) specifically in relation to a particular visit.
- (9) Where a visitor reports to the Council in accordance with paragraph (7)(a), the Council must on receipt of the report—
 - (a) send a copy of it to the institution or other provider concerned; and
 - (b) notify that institution or other provider of the period within which it may make observations on the report.
- (10) The period specified by the Council in a notice given under paragraph (9)(b) must not be less than one month beginning with the date on which a copy of the report is sent to the institution or other provider concerned under paragraph (9)(a).
- (11) The Council must not take any steps in the light of any report made under paragraph (7) before the end of the specified period mentioned in paragraph (10).
- (12) The Council must publish such reports together with, at the request of the institution or other provider concerned, the response of that institution or provider to the report.
- (13) The Council may make such provision in respect of visitors as it may reasonably determine—
 - (a) for the payment of allowances, including the payment of allowances to employers of visitors, for the purposes of enabling visitors to perform functions under this article; and
 - (b) for the reimbursement of such expenses as visitors may reasonably have incurred in the course of carrying out their functions under this article.