

SCHEDULE

The General Pharmaceutical Council (Fitness to Practise and Disqualification etc.) Rules 2010

PART 3

Consideration by the Investigating Committee

Procedures of the Investigating Committee

- 9.—(1) The Investigating Committee is to meet in private.
- (2) The Investigating Committee may not hear oral evidence.
- (3) Before disposing of any allegation before it, the Investigating Committee—
- (a) must—
 - (i) consider all documents and recommendations placed before it by the Registrar, and
 - (ii) have regard to its own published referral criteria;
 - (b) may—
 - (i) direct that further investigations should be undertaken,
 - (ii) obtain advice from a legal, clinical or other specialist adviser, and
 - (iii) adjourn its consideration of an allegation until such time as any further information has been obtained, any comments from the informant, if any, are received, or where the person concerned has undergone a medical examination, a report on the person concerned has been prepared.
- (4) In fitness to practise or disqualification proceedings (whether or not a criminal conduct allegation is also being considered in relation to the person concerned), the Investigating Committee—
- (a) must in all cases—
 - (i) consider any written representations received from the person concerned, and
 - (ii) have regard to any relevant practice directions issued by the chair; and
 - (b) may send any written representations received from the person concerned to the informant, if any, for comment.
- (5) In relation to a health allegation, the Investigating Committee may—
- (a) require the person concerned to agree to be medically examined by a registered medical practitioner nominated by the Council; and
 - (b) where it receives information that the person concerned has refused to co-operate fully with a medical examination, refer that matter to the Committee as a separate allegation.
- (6) Where the Investigating Committee decides to refer an allegation to the Committee and is of the view that—
- (a) case management directions should be issued; or
 - (b) an interim order should be made,
- it must notify the Committee accordingly.
- (7) The Investigating Committee must not refer any—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) fitness to practise allegation to the Committee unless it is satisfied that there is a real prospect that the Committee will make a finding that the registrant's fitness to practise is impaired; or
- (b) disqualification allegation to the Committee unless it is satisfied that there is a real prospect that the Committee will make a direction for disqualification.