
STATUTORY INSTRUMENTS

2010 No. 2150

**The Pharmacy Order 2010 (Appeals –
Transitional Provisions) Order of Council 2010**

Appealable registration decisions: right to appeal a decision of the Registration Appeals Committee

3.—(1) This article applies, for transitional purposes, where—

- (a) the Registration Appeals Committee has, before the appointed day, made a decision on appeal in respect of an appealable registration decision made by the Society or any of its committees; and
- (b) the period within which an appeal against that decision may be brought to the relevant court under article 44 of the 2007 Order by the person in respect of whom the decision was made (“the person concerned”) has not, immediately before the appointed day, expired.

(2) An appeal may be brought by the person concerned to the relevant court against a decision to which this article applies provided that the appeal is brought (subject to any rules of court in respect of the admissibility of applications to it) before the end of the period of 28 days beginning with the date on which the written notice of the reasons for the decision was sent to that person.

(3) The proceedings in respect of an appeal which is brought by virtue of paragraph (2) must be disposed of by the relevant court in accordance with the relevant provisions of the 2007 Order as if those provisions remained in force.

(4) Part 4 of, and Parts 2 and 3 of Schedule 2 to, the 2007 Order apply in respect of any decision of the relevant court that is made by virtue of paragraph (3); and in its application by virtue of this paragraph any references—

- (a) to the Society, are to be treated as references to the Council;
- (b) to the Investigating Committee, are to be treated as references to the Investigating Committee of the Council established under article 4(6)(a) of the Order;
- (c) to the Disciplinary Committee or the Health Committee, are to be treated as references to the Fitness to Practise Committee of the Council established under article 4(6)(b) of the Order; and
- (d) to the Registrar, are to be treated as references to the Registrar for the purposes of the Order.

(5) In this article, “the relevant court” means—

- (a) in the case of an appeal relating to an individual domiciled in Scotland, the sheriff in whose sheriffdom the individual is domiciled; and
- (b) in any other case, the county court (the Central London County Court if the person making the appeal is not domiciled in Great Britain).