

SCHEDULE

Article 2

The General Pharmaceutical Council (Coronavirus) (Amendment) Rules 2021

The General Pharmaceutical Council makes these Rules, in exercise of the powers conferred by articles 19(3), 61(1), (2)(a), (3)(a) and (6)(b), 66(1) of, and paragraph 5(1)(a) and (d) of Schedule 1 to, the Pharmacy Order 2010⁽¹⁾.

In accordance with article 66(3) of that Order, the General Pharmaceutical Council has consulted such persons or organisations as it considered appropriate.

Citation and commencement

1.—(1) These Rules may be cited as the General Pharmaceutical Council (Coronavirus) (Amendment) Rules 2021 and come into force on 4th March 2021.

(2) Subject to paragraph (3), at the end of 1st May 2021—

(a) the amendments made by these Rules expire, and

(b) the provisions amended by these Rules, as they were in force immediately prior to the amendments made by these Rules, are revived.

(3) Rule 1(2) does not apply to the amendments made by rules 2(4), 3(4) and 5.

Amendment of the General Pharmaceutical Council (Appeals Committee) Rules 2010

2.—(1) The General Pharmaceutical Council (Appeals Committee) Rules 2010⁽²⁾ are amended as follows.

(2) In rule 2 (Interpretation), after the definition of “appellant” insert—

““attend” means—

(a) be physically present at a meeting or hearing, or

(b) be present at a meeting or hearing by teleconference or video link;”.

(3) After rule 2, insert—

“Virtual meetings and hearings

2A. Meetings or hearings arranged under these Rules may be conducted by teleconference or video link.”.

(4) In rule 3(2) (Service of documents)—

(a) for the words before “by electronic mail”, substitute “Notices or documents may be sent to a person under these Rules”, and

(b) for “secretary”, substitute “Council”.

(5) In rule 6 (Notice of Hearing) for (a) substitute—

“(a) state—

(i) the date, time and venue of the hearing, or

(ii) if the hearing is to be conducted by teleconference or video link, the date and time of, and instructions on how to access, the hearing;”.

(6) In rule 12(2) (Procedure at hearings)—

(1) [S.I. 2010/231](#); relevant amending instruments are [S.I. 2015/806](#) and [2016/372](#).

(2) Rules as contained in the Schedule to the General Pharmaceutical Council (Appeals Committee Rules) Order of Council 2010 ([S.I. 2010/1614](#)).

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- (a) in sub-paragraph (b), after “present” insert “(either physically or by teleconference or video link)”;
 - (b) in sub-paragraph (h), after “present” insert “, either physically or by teleconference or video link”.
- (7) After rule 16(4) (Attendance of the public at hearings), insert —
- “(5) Where a hearing is being held by teleconference or video link, the Committee may order that the hearing is to be held in private.”.

Amendment of the General Pharmaceutical Council (Fitness to Practise and Disqualification etc.) Rules 2010

3.—(1) The General Pharmaceutical Council (Fitness to Practise and Disqualification etc.) Rules 2010(3) are amended as follows.

- (2) In rule 2 (Interpretation), after the definition of “applicant concerned” insert—
- ““attend” means—
- (a) be physically present at a meeting or hearing, or
 - (b) be present at a meeting or hearing by teleconference or video link;”.
- (3) After rule 2, insert—

“Virtual meetings and hearings

2A. Meetings and hearings arranged under these rules may be conducted by teleconference or video link.”.

- (4) In rule 3(1) (Service of documents), omit “, with the agreement of the person concerned,”.
- (5) In rule 16 (Notices of hearing other than interim order hearings) for rule (2)(a) substitute—
- “(a) state—
- (i) the date, time and venue of the hearing, or
 - (ii) if the hearing is to be conducted by teleconference or video link, the date and time of, and instructions on how to access, the hearing;”.
- (6) In rule 17 (Interim Order Notices and court referrals), for rule (2)(a) substitute—
- “(a) state—
- (i) the date, time and venue of the hearing, or
 - (ii) if the hearing is to be conducted by teleconference or video link, the date and time of, and instructions on how to access, the hearing;”.
- (7) In rule 25 (Absence of the person concerned), for “is neither present nor”, substitute “neither attends nor is”.
- (8) After rule 39(4) (Attendance of the public at hearings), insert—
- “(5) Where a hearing is being held by teleconference or video link, the Committee may order that the hearing is to be held in private.”.

(3) Rules as contained in the Schedule to the General Pharmaceutical Council (Fitness to Practise and Disqualification etc. Rules) Order of Council 2010 (S.I. 2010/1615).

Amendment of the General Pharmaceutical Council (Statutory Committees and their Advisers) Rules 2010

4.—(1) The General Pharmaceutical Council (Statutory Committees and their Advisers) Rules 2010(4) are amended as follows.

- (2) In rule 18(5) (Composition of statutory committees: general)—
- (a) in paragraph (1), after “Subject to” insert “paragraph (5) and”;
 - (b) in paragraph (2), for “The members” substitute “Subject to paragraph (5), the members”;
 - (c) in paragraph (3), for “At” substitute “Subject to paragraph (5), at”;
 - (d) after paragraph (4), insert—
 - “(5) In cases where it is not possible to comply with the quorum requirements of paragraph (1), the quorum for a hearing or meeting (other than a case management meeting) is two members who must consist of—
 - (a) the chair or a deputy chair,
 - (b) and a lay member.”
- (3) In rule 18A(6) (Composition of Fitness to Practise Committee: further provision)—
- (a) in paragraph (2), for “Where”, substitute “Subject to paragraph (4), where”;
 - (b) after paragraph (3), insert—
 - “(4) In cases where it is not possible to comply with the requirements of paragraph (2) (b), the chair must ensure that the quorum for a meeting or hearing is not less than two.”
- (4) In rule 18B(7) (Composition of appeals committee: further provision)—
- (a) in paragraph (2), for “Where”, substitute “Subject to paragraph (3), where”;
 - (b) after paragraph (2), insert—
 - “(3) In cases where it is not possible to comply with the requirements of paragraph (2) (b), the chair must ensure that the quorum for a meeting or hearing is not less than two.”

Amendment of the General Pharmaceutical Council (Registration) Rules 2010

5. In rule 3(1) (Service of documents) of the General Pharmaceutical Council (Registration) Rules 2010(8) omit “, with the agreement of the person concerned,”.

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- (4) Rules as contained in the Schedule to the General Pharmaceutical Council (Statutory Committees and their Advisers) Rules Order of Council 2010 (S.I. 2010/1616).
 - (5) Rule 18 was substituted by paragraph 15 of the Schedule to S.I. 2012/3171.
 - (6) Rule 18A was inserted by paragraph 16 of the Schedule to S.I. 2012/3171.
 - (7) Rule 18B was inserted by paragraph 16 of the Schedule to S.I. 2012/3171; there are other amending instruments, but none are relevant.
 - (8) Rules as contained in the Schedule to the General Pharmaceutical Council (Registration Rules) Order of Council 2010 (S.I. 2010/1617).