

2022 No. 697

HEALTH CARE AND ASSOCIATED PROFESSIONS

PHARMACY

**The General Pharmaceutical Council (Amendment) Rules Order
of Council 2022**

<i>Made</i> - - - -	<i>21st June 2022</i>
<i>Laid before Parliament</i>	<i>23rd June 2022</i>
<i>Laid before the Scottish Parliament</i>	<i>23rd June 2022</i>
<i>Coming into force</i> - -	<i>6th October 2022</i>

At the Council Chamber, Whitehall on the 21st day of June 2022

By the Lords of Her Majesty's Most Honourable Privy Council

The General Pharmaceutical Council has made the General Pharmaceutical Council (Amendment) Rules 2022, which are set out in the Schedule to this Order, in exercise of the powers conferred by articles 61(1), (2)(a) and (6)(b) and 66(1) of the Pharmacy Order 2010^(a).

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

In accordance with article 66(4) of that Order, the Rules shall not come into force until approved by Order of the Privy Council.

Citation and commencement

1. This Order may be cited as the General Pharmaceutical Council (Amendment) Rules Order of Council 2022 and comes into force on 6th October 2022.

Privy Council Approval

2. Their Lordships, having taken the Rules as set out in the Schedule to this Order into consideration, are pleased to, and do, approve them.

Richard Tilbrook
Clerk of the Privy Council

(a) S.I. 2010/231, to which there are amendments not relevant to this Order.

SCHEDULE

The General Pharmaceutical Council (Amendment) Rules 2022

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

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

Citation and commencement

1. These Rules may be cited as the General Pharmaceutical Council (Amendment) Rules 2022 and come into force on 6th October 2022.

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

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

(2) In rule 2 (interpretation)—

(a) after the definition of “appellant” insert—

““attend” means—

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

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

(b) after the definition of “parties” insert—

““present” includes being in a meeting or hearing by teleconference or video link and “presence” is to be construed accordingly;”.

(3) After rule 2 insert—

“Virtual meetings and hearings

2A. At the discretion of the chair, meetings or hearings of the Committee arranged under these Rules may be conducted by teleconference or video link.”.

(4) In rule 6 (notice of hearing), for sub-paragraph (a), substitute—

“(a) state—

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

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

(5) After rule 16(4) (attendance of the public at hearings), insert—

“(5) Reference to a hearing under this rule includes hearings conducted by teleconference or video link.”.

(a) S.I. 2010/231, to which there are amendments not relevant to this Order.

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

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

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

(2) In rule 2 (interpretation)—

(a) after the definition of “applicant concerned” insert—

““attend” means—

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

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

(b) after the definition of “prescribed fee” insert—

““present” includes being present at a meeting or hearing by teleconference or video link, except in the phrase “present their case”, and “presence” is to be construed accordingly;” and

(3) After rule 2 (interpretation), insert—

“Virtual meetings and hearings

2A. At the discretion of the chair, meetings and hearings of the Committee arranged under these rules may be conducted by teleconference or video link.”.

(4) In rule 16 (notices of hearing other than interim order hearings), for sub-paragraph 2(a), substitute—

“(a) state—

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

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

(5) In rule 17 (interim order notices and court referrals), for sub-paragraph 2(a), substitute—

“(a) state—

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

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

(6) After rule 39(4) (attendance of the public at hearings), insert—

“(5) Reference to a hearing under this rule includes hearings conducted by teleconference or video link.”.

Given under the common seal of the General Pharmaceutical Council this 12th day of May 2022.



Gisela Abbam
Chair of the Council

Duncan Rudkin
Chief Executive and Registrar

(a) 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).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the General Pharmaceutical (Appeals Committee) Rules 2010 (the ‘Appeals Committee Rules’) and the General Pharmaceutical Council (Fitness to Practise and Disqualification etc.) Rules 2010 (the ‘Fitness to Practise Rules’).

Paragraph 2 of the Schedule amends the Appeals Committee Rules and paragraph 3 of the Schedule amends the Fitness to Practise Rules by:

-providing that the words “attend” and “present” may mean attending and being present by way of teleconference or video link,

-inserting a new rule so that the chair may decide to conduct meetings or hearings by way of teleconference or video link, and

-ensuring that a Notice of Hearing must provide details regarding how to access any hearing which is being held using teleconference or video link.

-providing that the rules for private hearings apply to, and include, hearings by teleconference or video link.

A full impact assessment of the effect that this instrument will have on costs of business, the voluntary sector and the public sector is available from <https://www.pharmacyregulation.org/sites/default/files/document/gphc-remote-hearings-consultation-equality-impact-analysis-may-2022.pdf>

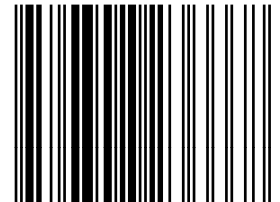
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