

SCHEDULES

[^{F1} SCHEDULE 3

F1 Sch. 3 substituted (1.10.2012) by [The Pharmacy \(1976 Order\) \(Amendment\) Order \(Northern Ireland\) 2012 \(S.R. 2012/308\)](#), arts. 1(1), 11, [Sch. 2](#) (with [Sch. 3](#))

FITNESS TO PRACTISE

Disclosure of information: general

2.—(1) For the purpose of assisting the Council (including its staff and the Scrutiny Committee) and the Statutory Committee in carrying out functions in respect of the fitness to practise of a registered person a person authorised by the Council or the Statutory Committee may require—

- (a) a registered person (except the registered person in respect of whom the information or document is sought), or
- (b) any other person,

who, in the opinion of the authorised person, is able to supply information or produce any document which appears to be relevant to the discharge of any such function, to supply the information or produce the document.

(2) Nothing in sub-paragraph (1) requires or permits—

- (a) any disclosure of information which is prohibited by or under any statutory provision [^{F2}or the [^{F3}UK GDPR]], but where that prohibition arises because the information is in a form which allows for the identification of an individual, the authorised person may require that information to be put in a form which does not allow for the identification of that individual; or
- (b) the supplying of information or production of a document which a person could not be compelled to produce in civil proceedings in the High Court under paragraph 10.

[^{F4}(3) In determining for the purposes of sub-paragraph (2)(a) whether a disclosure is prohibited, it is to be assumed for the purposes of paragraph 5(2) of Schedule 2 to the Data Protection Act 2018 and paragraph 3(2) of Schedule 11 to that Act (exemptions from certain provisions of the data protection legislation: disclosures required by law) that the disclosure is required by this paragraph.]

(4) If a person fails to supply any information or to produce any document within 14 days of being required to do so under sub-paragraph (1), or within such longer period as the Council or the Statutory Committee in the circumstances of a particular case may allow, the Council may seek an order of the county court requiring the information to be supplied or the document to be produced.

[^{F5}(5) In this paragraph, “the UK GDPR” has the same meaning as in Parts 5 to 7 of the Data Protection Act 2018 (see section 3(10) and (14) of that Act).]]

F2 Words in Sch. 3 para. 2(2)(a) inserted (25.5.2018) by [Data Protection Act 2018 \(c. 12\)](#), s. 212(1), [Sch. 19 para. 17\(2\)](#) (with [ss. 117, 209, 210](#)); [S.I. 2018/625](#), reg. 2(1)(g)

Changes to legislation: Pharmacy (Northern Ireland) Order 1976, Paragraph 2 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F3** Words in Sch. 3 para. 2(2)(a) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 7(a)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Sch. 3 para. 2(3) substituted (25.5.2018) by Data Protection Act 2018 (c. 12), s. 212(1), **Sch. 19 para. 17(3)** (with ss. 117, 209, 210); S.I. 2018/625, reg. 2(1)(g)
- F5** Sch. 3 para. 2(5) substituted (31.12.2020) by The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019 (S.I. 2019/419), reg. 1(2), **Sch. 3 para. 7(b)** (with Sch. 3 para. 112); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** Sch. 3 para. 2(1) modified (temp.) (25.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(1), **Sch. 4 para. 8** (with ss. 88-90)

Changes to legislation:

Pharmacy (Northern Ireland) Order 1976, Paragraph 2 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 3 para. 8(1A)(1B) inserted by [S.I. 2016/372 art. 15\(3\)](#)
- Sch. 3 para. 8(10A) inserted by [S.I. 2016/372 art. 15\(10\)](#)
- art. 5A inserted by [S.I. 2016/372 art. 13](#)