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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 104**

**The Health and Social Care (Disciplinary  
Procedures) Regulations (Northern Ireland) 2016**

**Recovery of amounts from practitioners following appeal**

7.—(1) Where—

- (a) in the case of an appeal under regulation 5(1)(a) the Department determines that a practitioner has failed to comply with their terms of service in so far as they have failed to exercise a proper degree of skill and attention in the treatment of a patient; or
- (b) an appeal is made under regulation 5(1)(b) or (c);

the Department shall, subject to the following provisions of this regulation, determine whether any, and if so what, amount shall be recovered from the practitioner, whether by way of deduction from their remuneration or otherwise.

(2) The Department shall give notice in writing of its determination under paragraph (1) to the practitioner and the Regional Board, and shall include with the notice a statement of its reasons for its determination.

(3) Where the Department has determined under paragraph (1) that an amount shall be recovered from a practitioner, it shall direct the Regional Board to recover that amount either by deduction from the practitioner's remuneration or otherwise.

(4) Where the Regional Board determines that any amount which it has been directed to recover under paragraph (3) is to be recovered by deduction from the practitioner's remuneration, it shall notify the RBSO of the amount in question and the RBSO shall deduct that amount from the practitioner's remuneration.

(5) Any sum which falls by virtue of paragraph (3) to be recovered by the Regional Board shall, to the extent that it is not recovered by deduction from the practitioner's remuneration, be a debt owed by the practitioner to the Regional Board.