

SCHEDULE

The General Pharmaceutical Council (Fitness to Practise and Disqualification etc.) Rules 2010

PART 7

General

Disposal of allegations without hearings

38.—(1) Where—

- (a) an allegation has been referred to the Committee by the Investigating Committee;
- (b) a principal hearing has not yet taken place in the proceedings; and
- (c) the presenter for either the principal hearing or an interim order hearing that relates to the allegation considers that, on the basis of the evidence available or other information in the possession of the Council, the hearing should not be held,

the presenter must inform the Investigating Committee of their opinion forthwith and of the reasons for their opinion.

(2) Upon receipt of the presenter's opinion, the Investigating Committee must consider the matter and may give a direction that the referral to the Committee (either for a principal or an interim order hearing, or both) is rescinded.

(3) The Investigating Committee must not rescind a referral for a principal hearing without first giving the maker of the relevant allegation (if any) a reasonable opportunity to comment on the proposed rescission.