

SCHEDULE

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

PART 2

Initial consideration by the Registrar

Notices of referral and documents to be supplied to persons concerned

7.—(1) Once the Registrar has taken a decision to refer a fitness to practise allegation or a disqualification allegation to the Investigating Committee, the Registrar must—

- (a) send to the person concerned a notice of referral to the Investigating Committee;
- (b) provide that person with—
 - (i) copies of all documentation, including summaries of relevant information, to be placed by the Registrar before the Investigating Committee, and
 - (ii) a copy of the threshold criteria.

(2) The notice of referral to the Investigating Committee must in terms—

- (a) particularise the allegation;
- (b) set out any recommendations for disposal of the case made by the Registrar;
- (c) specify a date for the meeting of the Investigating Committee which will consider the allegation, which must be no less than 28 days after the date of service of the notice of referral;
- (d) inform the person concerned of the Investigating Committee's powers—
 - (i) to dismiss the case,
 - (ii) in relation to a health allegation, to require the person concerned to undergo a medical examination,
 - (iii) to issue warnings,
 - (iv) to agree undertakings,
 - (v) to give advice to the person concerned or to other persons,
 - (vi) to refer the matter to the Committee, and
 - (vii) in respect of the initiation of criminal proceedings;
- (e) invite the person concerned to indicate, no later than 21 days after the date of service of the notice, whether the particulars of the allegation set out in the notice are admitted or denied;
- (f) invite the person concerned to provide written representations on the allegation, and on any recommendations for disposal of the case made by the Registrar;
- (g) state that any written representations must be submitted to the Investigating Committee no later than 21 days after the date of service of the notice;
- (h) inform the person concerned that any representations, or extracts of any representations, received may be shown to the informant, if any, for comment;
- (i) inform the person concerned that the Investigating Committee may seek further information from any source for the purposes of carrying out its functions in investigating the allegation, including from the person concerned's employer, if any.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) A person who is the subject of a criminal conduct allegation must not be notified where that allegation is referred to the Investigating Committee, unless that person is a registrant and the allegation is being referred together with a fitness to practise or a disqualification allegation.