

## SCHEDULE

### The General Pharmaceutical Council (Registration) Rules 2010

## PART 4

### Fraudulent and incorrect entries: Parts 1, 2, 4 and 5 of the Register

#### **Subsequent action by Registrar: stage 2**

**19.**—(1) Where the Registrar has issued a Notice of Intention to Remove and has not received any representations from R within the period stipulated in rule 18(5)(c), the Registrar must remove R's entry from Part 1 or, as the case may be, Part 2, 4 or 5 of the Register.

(2) Where the Registrar receives representations from R within the period stipulated in rule 18(5)(c), the Registrar—

- (a) must consider the representations and any evidence received; and
- (b) may make such further inquiries (including obtaining legal advice) as the Registrar considers necessary.

(3) The Registrar must close the matter and advise R accordingly where the Registrar is satisfied that—

- (a) R's entry in the relevant part of the Register was not fraudulently procured or incorrectly made; or
- (b) R's fitness to practise was not impaired at the time R's name was entered in the relevant part of the Register, or that it was so impaired but that R had informed the Registrar of the relevant matter before R's name was entered in that part of the Register.

(4) Where the Registrar is minded to determine that—

- (a) R's entry in Part 1 or, as the case may be, Part 2, 4 or 5 of the Register was fraudulently procured or incorrectly made; or
- (b) R's fitness to practise was impaired at the time R's name was entered in the relevant part of the Register and R had not informed the Registrar about the relevant matter before R's name was entered in that part of the Register,

if the Registrar is minded to rely, when making that determination, on evidence that was obtained as a result of the Registrar's further inquiries, paragraph (5) applies, but in all other cases, the Registrar must determine the matter in accordance with rule 20(1)(b) or (2).

(5) Where this paragraph applies, the Registrar must send to R the additional evidence on which the Registrar is minded to rely, and if R has not already requested a hearing or is not entitled to one, invite R, no later than 28 days after service of the additional evidence—

- (a) to submit written representations and any relevant additional evidence to the Registrar; or
- (b) except in cases where the Registrar has reasonable grounds for believing that R's entry in Part 1 or, as the case may be, Part 2, 4 or 5 of the Register was incorrectly made, invite R once again to indicate whether or not R wishes the matter to be considered at a hearing.