
STATUTORY INSTRUMENTS

1976 No. 1213

Pharmacy (Northern Ireland) Order 1976

PART II

THE PHARMACEUTICAL SOCIETY OF NORTHERN IRELAND

[^{F1}Continuing professional development

4A.—(1) The Council shall—

- (a) set the standards of proficiency for the safe and effective practise of pharmacy which it is necessary for a registered person to maintain in order for their name to be retained in the register; and
- (b) set the standards of continuing professional development which it is necessary for a registered person to maintain in order to continue to meet the standards of proficiency referred to in sub-paragraph (a);

(2) The Council shall keep the standards set under this Article under review and may vary or withdraw those standards whenever it considers it appropriate to do so.

(3) The Council must publish the standards set under this Article, as they exist from time to time, in such manner as it considers appropriate.

(4) Before varying or withdrawing the standards referred to in paragraph (1), the Council shall consult such persons as it considers appropriate.

(5) The Council shall—

- (a) consult such persons as it considers appropriate about the development of criteria by reference to which compliance with the standards set under paragraph (1)(b) is to be monitored, and
- (b) publish those criteria as they exist from time to time in such manner as it considers appropriate.

(6) The Council shall—

- (a) adopt and maintain a framework relating to the requirements and conditions to be met by registered persons in respect of their continuing professional development; and
- (b) require registered persons—
 - (i) to complete an annual declaration regarding their compliance with such requirements and conditions in respect of their continuing professional development as they are obliged to meet by that framework, and
 - (ii) to submit records about any continuing professional development undertaken by them to the registrar for review.

(7) The framework adopted by the Council under paragraph (6)(a)—

- (a) must include provision relating to—

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- (i) the amount and type of continuing professional development that a registered person is required to undertake,
- (ii) the information to be provided by a registered person about the continuing professional development that the registered person has undertaken and the form and manner in which that information is to be provided,
- (iii) the times at which information about the continuing professional development that a registered person has undertaken is to be provided (including any continuing professional development that relates to an annotation in respect of a particular specialist area of practice that is to be recorded against the registered person’s name in the register),
- (iv) the keeping of records about the continuing professional development undertaken by registered persons; and
- (b) must require that any continuing professional development that is undertaken by a registered person in accordance with it is relevant to—
 - (i) the safe and effective practice of pharmacy, and
 - (ii) a learning need for the individual registered person that is relevant to the current scope of the practice of pharmacy including any specialist area of practice of that individual registered person and the environment in which they practise;

^{F2}(c)

(8) The Council must publish the framework adopted by it under paragraph (6)(a), as it exists from time to time, in such manner as it considers appropriate.

(9) The Council must make such provision in regulations as it considers appropriate with respect to registered persons who fail to comply with any requirements of the framework adopted by the Council under paragraph (6)(a).

(10) Regulations under paragraph (9) must—

- (a) make provision about the circumstances in which the registrar may remove the name of the registered person from the register, or impose such other remedial measures as may be specified in the regulations, where the registered person—
 - (i) has failed to comply with the requirements or conditions of the framework adopted by the Council under paragraph (6)(a) relating to the continual professional development of registered persons; or
 - (ii) has made a false declaration about compliance with those requirements or conditions;

^{F3}(b)

- (c) make provision for the registrar to send a statement in writing to the registered person concerned giving the registered person notice of the removal and the reasons for it and of right of appeal to the Statutory Committee under paragraph (13);
- (d) make provision for the suspension of a registered person’s entry in the register pending the outcome of any appeal against a decision to remove the name of the registered person from the register;
- (e) make provision about the circumstances in which the registrar, upon an application being made by a person whose name has been removed from the register, may restore the name to the register and whether, and if so what, continuing professional development is required after restoration, and the regulations may make provision—
 - (i) for these issues to be determined in individual cases by the registrar,

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- (ii) enabling the registrar to determine that the application for restoration is to be granted subject to the applicant agreeing to comply with such undertakings with regard to continuing professional development as the registrar considers appropriate, and
- (iii) refusal of applications.

(11) Where a person who has agreed to comply with an undertaking pursuant to regulations made under paragraph (10)(e) breaches that undertaking, that breach may be treated as misconduct for the purposes of paragraph (4)(1)(a) of Schedule 3 and the registrar must consider, in accordance with paragraph (5)(1) of Schedule 3, whether or not to refer the matter to the Scrutiny Committee or (where regulations under paragraph (5)(1) of Schedule 3 so provide) to the Statutory Committee.

(12) Where the registrar refuses an application for restoration of a person's name to the register, the registrar must send to the applicant a statement in writing giving the applicant notice of decision and the reasons for it and the right of appeal to the Statutory Committee under paragraph (13).

(13) In accordance with regulations made under paragraph (10), a person in respect of whom a decision has been made by the registrar to—

- (a) remove their name from the register;
- (b) impose such remedial measure as may be specified; or
- (c) refuse an application for restoration of their name to the register,

may appeal from that decision to the Statutory Committee which may decide the appeal.

^{F4}(14)]

F1	Arts. 4A-4D inserted (1.10.2012, 1.6.2013) by The Pharmacy (1976 Order) (Amendment) Order (Northern Ireland) 2012 (S.R. 2012/308) , arts. 1(1), 4 (with Sch. 3)
F2	Art. 4A(7)(c) omitted (31.12.2020) by virtue of The European Qualifications (Pharmacists) (Amendment etc.) (EU Exit) Regulations (Northern Ireland) 2019 (S.I. 2019/585) , reg. 1(2), Sch. para. 4 (with Sch. Pt. 3) (as amended by S.I. 2020/1394, reg. 20(7)); 2020 c. 1, Sch. 5 para. 1(1)
F3	Art. 4A(10)(b) omitted (31.12.2020) by virtue of The European Qualifications (Pharmacists) (Amendment etc.) (EU Exit) Regulations (Northern Ireland) 2019 (S.I. 2019/585) , reg. 1(2), Sch. para. 4 (with Sch. Pt. 3) (as amended by S.I. 2020/1394, reg. 20(7)); 2020 c. 1, Sch. 5 para. 1(1)
F4	Art. 4A(14) omitted (31.12.2020) by virtue of The European Qualifications (Pharmacists) (Amendment etc.) (EU Exit) Regulations (Northern Ireland) 2019 (S.I. 2019/585) , reg. 1(2), Sch. para. 4 (with Sch. Pt. 3) (as amended by S.I. 2020/1394, reg. 20(7)); 2020 c. 1, Sch. 5 para. 1(1)

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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](#)