
STATUTORY INSTRUMENTS

1995 No. 2704

**The Health and Personal Social Services
(Amendment) (Northern Ireland) Order 1995**

Constitution of the Tribunal

6. In Part II of Schedule 11 to the 1972 Order (which makes provision for the constitution of the Tribunal) for paragraphs 11 to 15 there shall be substituted—

“**11.** The Tribunal shall consist of—

- (a) a chairman appointed by the Lord Chief Justice,
- (b) such number of deputy chairmen as the Lord Chief Justice may appoint,
- (c) such number of persons as the Department may appoint for the purposes of this sub-paragraph,
- (d) such number of medical practitioners as the Department may appoint for the purposes of this sub-paragraph,
- (e) such number of medical practitioners having the qualifications prescribed under Article 62 as the Department may appoint for the purposes of this sub-paragraph,
- (f) such number of dental practitioners as the Department may appoint for the purposes of this sub-paragraph,
- (g) such number of ophthalmic opticians as the Department may appoint for the purposes of this sub-paragraph, and
- (h) such number of pharmacists as the Department may appoint for the purposes of this sub-paragraph.

12. A person appointed as the chairman or a deputy chairman shall be either a barrister-at-law practising in Northern Ireland or a practising solicitor of the Supreme Court of Judicature of Northern Ireland of not less than ten years' standing.

13. Any appointment for the purposes of paragraph 11(c) shall be made after consultation with Health and Social Services Boards.

14. Any appointment for the purposes of any of sub-paragraphs (d) to (h) of paragraph 11 shall be made after consultation with such organisations as the Department may recognise as representative of the profession or calling concerned.

15.—(1) The functions of the Tribunal shall be exercised by three members consisting of—

- (a) the chairman or a deputy chairman,
- (b) a person appointed under paragraph 11(c), and
- (c) a person appointed under such one of sub-paragraphs (d) to (h) of paragraph 11 as provides for the appointment of persons of the same profession or calling as that of the person concerned.

(2) In sub-paragraph (1)(c), the reference to the person concerned is—

- (a) in the case of functions under paragraph 3, to the person to whom the representations in question relate,
 - (b) in the case of functions under paragraph 6 or 9, to the person whose disqualification is under consideration,
 - (c) in the case of functions under paragraph 8A, to the person to whom the application in question relates, and
 - (d) in the case of functions under paragraph 8B, to the person in relation to whom the application of paragraph 8A(3) may be continued.
- (3) In the case of functions under paragraph 8A or 8B, sub-paragraph (1) is subject to paragraph 8C(2)(b).”.