
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 310

The Council of the Pharmaceutical Society of Northern Ireland (Statutory Committee, Scrutiny Committee and Advisers) Regulations (Northern Ireland) 2012

Functions of legal advisers

- 18.**—(1) A legal adviser (except where the chair is legally qualified)—
- (a) must be present at all meetings of the Scrutiny Committee at which a decision is to be taken as to whether or not to—
 - (i) refer a case to the Statutory Committee, or
 - (ii) notify the Department to consider exercising any of its powers to bring criminal proceedings; and
 - (b) may be present at any other hearing before, or meeting of, the Statutory Committee or Scrutiny Committee, at the request of the chair or secretary of the relevant committee.
- (2) The function of the legal adviser who is present at a meeting or hearing referred to in paragraph (1) is to ensure that proceedings before the Statutory Committee or Scrutiny Committee are conducted fairly.
- (3) The legal adviser who is present at a meeting or hearing referred to in paragraph (1) must—
- (a) advise the Statutory Committee or Scrutiny Committee on questions of law that are referred to the legal adviser by members of the relevant Committee;
 - (b) intervene to advise the Statutory Committee or Scrutiny Committee on an issue of law where it appears to the legal adviser that, without the legal adviser's intervention, there is a possibility of an error of law being made;
 - (c) inform the Statutory Committee or Scrutiny Committee immediately of any irregularity in the conduct of proceedings before it; and
 - (d) at the request of the chair, advise the Statutory Committee or Scrutiny Committee on the structure, format and presentation of the reasons for a decision of that committee.
- (4) If the chair of the Statutory Committee is not legally qualified, a legal adviser must be present at any case management meeting conducted by the chair of the Statutory Committee.
- (5) At the request of the chair, the legal adviser who is present at a meeting of the Statutory Committee or Scrutiny Committee referred to in paragraph (1) may be present during the private deliberations of either committee, but must not participate in the decision making of either Committee (and is not entitled to vote).