
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 311

The Council of the Pharmaceutical Society
of Northern Ireland (Fitness to Practise and
Disqualification) Regulations (Northern Ireland) 2012

PART 3

Consideration by the Scrutiny Committee

Procedures of the Scrutiny Committee

10.—(1) The Scrutiny Committee is to meet in private.

(2) The chair of the Scrutiny Committee may give practice directions of general application to any proceedings of the Scrutiny Committee.

(3) The Scrutiny Committee may not hear oral evidence.

(4) Before disposing of any allegation before it, the Scrutiny Committee—

(a) must—

- (i) consider all documents and recommendations placed before it by the registrar, and
- (ii) have regard to its own published referral criteria;

(b) may—

- (i) direct that further investigations should be undertaken;
- (ii) obtain advice from a legal, clinical or other specialist adviser; and
- (iii) adjourn its consideration of an allegation until such time as any further information has been obtained, any comments from the informant, if any, are received, or where the person concerned has undergone a medical examination, a report on the person concerned has been prepared.

(5) In fitness to practise or disqualification proceedings the Scrutiny Committee—

(a) must in all cases—

- (i) consider any written representations received from the person concerned, and
- (ii) have regard to any relevant practice directions given by the chair of the Scrutiny Committee, and

(b) may send any written representations received from the person concerned to the informant, if any, for comment.

(6) In relation to a health allegation, the Scrutiny Committee may—

(a) require the person concerned to agree to be medically examined by a medical practitioner nominated by the Society, and

Status: This is the original version (as it was originally made).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

- (b) where it receives information that the person concerned has refused to co-operate fully with a medical examination, refer that matter to the Statutory Committee as a separate allegation.

(7) Where the Scrutiny Committee decides to refer an allegation to the Statutory Committee and is of the view that—

- (a) case management directions should be given; or
- (b) an interim order should be made,

it must notify the Statutory Committee accordingly.

(8) The Scrutiny Committee must not refer any—

- (a) fitness to practise allegation to the Statutory Committee unless it is satisfied that there is a real prospect that the Statutory Committee will make a finding that the registered person's fitness to practise is impaired; or
- (b) disqualification allegation to the Statutory Committee unless it is satisfied that there is a real prospect that the Statutory Committee will give a direction for disqualification.