
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

Reconsideration of allegations

14.—(1) Where—

- (a) the Scrutiny Committee has considered a fitness to practise or a disqualification allegation and decided not to refer it to the Statutory Committee; and
- (b) within 5 years from the date of service of the notice given under regulation 13, the Society receives a new allegation about the person concerned,

the Scrutiny Committee may take the action specified in paragraph (2).

(2) The Scrutiny Committee may—

- (a) when considering whether or not to refer the new allegation to the Statutory Committee, have regard to the original allegation; and
- (b) may refer both the original allegation and the new allegation to the Statutory Committee.

(3) Where the Scrutiny Committee has disposed of a fitness to practise or disqualification allegation, and within 5 years of that decision receives new evidence or information which makes the reconsideration of that decision—

- (a) necessary for the protection of the public;
- (b) necessary for the prevention of injustice to the person concerned; or
- (c) otherwise necessary in the public interest,

it may reconsider the allegation.

(4) The Scrutiny Committee may reconsider an allegation where it receives information that the Society has erred in its administrative handling of the case and it is satisfied that it is necessary in the public interest to do so.

(5) Where the Scrutiny Committee has decided to reconsider a fitness to practise or disqualification allegation, the secretary to the Scrutiny Committee must—

- (a) inform the person concerned and the informant, if any, of the decision to reconsider the allegation;
- (b) inform the person concerned and, where appropriate, the informant, if any, of any new evidence or information;

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- (c) provide the person concerned and, where appropriate, the informant, if any, with copies of any new evidence and summaries of any new information received;
- (d) seek written representations from the person concerned and the informant, if any, on—
 - (i) the decision to reconsider the allegation, and
 - (ii) any new evidence or information received (unless, in the case of the informant, if any, this has not been sent to the informant).
- (6) Following reconsideration of the original allegation, the original decision not to refer the allegation to the Statutory Committee may be rescinded in appropriate circumstances.
- (7) Following reconsideration of the allegation, a new notice must be sent as provided for in regulation 13.