
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 312

**The Council of the Pharmaceutical Society
of Northern Ireland (Continuing Professional
Development) Regulations (Northern Ireland) 2012**

Notice of Intention to Remove: stage 1

5.—(1) Where the registrar proposes to remove the name of the registered person or the annotation recorded against the name of a registered person (“R”) from the register under regulation 3(2)(b) or (c), the registrar—

- (a) must consider whether the matter calls into question R’s fitness to practise; and
- (b) if no such question arises, may serve on R a Notice of Intention to Remove which notifies R in writing that the registrar is considering whether to remove R’s name or the annotation recorded against R’s name (as the case may be) from the register.

(2) If it appears to the registrar on reasonable grounds that R’s fitness to practise is called into question, the registrar must determine whether to refer the matter—

- (a) to the Scrutiny Committee in accordance with paragraph 5(1) of Schedule 3 to the Order; or
- (b) to the Statutory Committee in accordance with whichever of regulation 5(5) or (8) of the Fitness to Practise Regulations the registrar considers to be appropriate in all the circumstances of R’s case.

(3) Paragraph (2) applies irrespective of whether a Notice of Intention to Remove has already been served.

(4) Before serving on R a Notice of Intention to Remove, the registrar may make such inquiries, including the instruction of external agents or investigators, and the commissioning of medical experts, as the registrar considers necessary or expedient.

(5) A Notice of Intention to Remove must—

- (a) set out the grounds for believing that R—
 - (i) has failed to comply with the requirements or conditions of the CPD framework, or
 - (ii) has made a false declaration about compliance with the requirements or conditions of the CPD framework;
- (b) be accompanied by copies of evidence (in a form that can be copied) on which the registrar would seek to rely in any proceedings under these Regulations to remove R’s name or the annotation recorded against R’s name;
- (c) invite R to submit written representations, and any relevant evidence, to the registrar as to why R’s name or the annotation recorded against R’s name should not be removed from the register;
- (d) inform R that any such representations or evidence must be submitted no later than 28 days after service of the notice;
- (e) invite R to indicate whether or not R wishes the matter to be considered at a hearing;

- (f) inform R that the matter will be considered without a hearing unless written representations have been submitted; and
- (g) inform R that, if R fails to submit written representations to the registrar within the 28 day period referred to in sub-paragraph (d), R's name or the annotation recorded against R's name may be removed from the register.