

STATUTORY RULES OF NORTHERN IRELAND

2016 No. 104

The Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2016

Recovery of amounts from practitioners following appeal

7.—(1) Where—

- (a) in the case of an appeal under regulation 5(1)(a) the [^{F1}Family Practitioner Services Independent Appeal Panel] determines that a practitioner has failed to comply with their terms of service in so far as they have failed to exercise a proper degree of skill and attention in the treatment of a patient; or
- (b) an appeal is made under regulation 5(1)(b) or (c);

the [^{F1}Family Practitioner Services Independent Appeal Panel] shall, subject to the following provisions of this regulation, determine whether any, and if so what, amount shall be recovered from the practitioner, whether by way of deduction from their remuneration or otherwise.

(2) The [^{F2}Family Practitioner Services Independent Appeal Panel] shall give notice in writing of its determination under paragraph (1) to the practitioner and the [^{F3}Department], and shall include with the notice a statement of its reasons for its determination.

(3) Where the [^{F4}Family Practitioner Services Independent Appeal Panel] has determined under paragraph (1) that an amount shall be recovered from a practitioner, it shall direct the [^{F5}Department] to recover that amount either by deduction from the practitioner's remuneration or otherwise.

(4) Where the [^{F6}Department] determines that any amount which it has been directed to recover under paragraph (3) is to be recovered by deduction from the practitioner's remuneration, it shall notify the RBSO of the amount in question and the RBSO shall deduct that amount from the practitioner's remuneration.

(5) Any sum which falls by virtue of paragraph (3) to be recovered by the [^{F7}Department] shall, to the extent that it is not recovered by deduction from the practitioner's remuneration, be a debt owed by the practitioner to the [^{F7}Department].

F1 Words in reg. 7(1) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(2)** (with reg. 13)

F2 Words in reg. 7(2) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(3)(a)** (with reg. 13)

F3 Word in reg. 7(2) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(3)(b)** (with reg. 13)

F4 Words in reg. 7(3) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(4)(a)** (with reg. 13)

Changes to legislation: There are currently no known outstanding effects for the The Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2016, Section 7. (See end of Document for details)

- F5** Word in reg. 7(3) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(4)(b)** (with reg. 13)
- F6** Word in reg. 7(4) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(5)** (with reg. 13)
- F7** Word in reg. 7(5) substituted (1.4.2022) by The Health and Social Care (Family Practitioner Services Independent Appeal Panel) Regulations (Northern Ireland) 2022 (S.R. 2022/109), reg. 1, **Sch. para. 29(6)** (with reg. 13)

Commencement Information

- I1** Reg. 7 in operation at 1.4.2016, see **reg. 1(1)**

Changes to legislation:

There are currently no known outstanding effects for the The Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2016, Section 7.