
DRAFT STATUTORY INSTRUMENTS

2007 No.

The Pharmacists and Pharmacy Technicians Order 2007

PART 1

Preliminary

The statutory committees

7.—(1) The Society shall have the following committees (in addition to any other committees established under the Charter⁽¹⁾)—

- (a) the Continuing Professional Development Committee;
- (b) the Disciplinary Committee;
- (c) the Education Committee;
- (d) the Health Committee;
- (e) the Investigating Committee; and
- (f) the Registration Appeals Committee,

each having the functions assigned to them by or under this Order, any other enactment or the Charter.

(2) Subject to paragraph (6), as regards each of the statutory committees, the Council shall by rules make provision with regard to—

- (a) its size and composition (which may vary according to the functions the committee is performing), but the number of members of a fitness to practise committee or the Registration Appeals Committee who are registrants shall not exceed the number of other members on the committee by more than one;
- (b) the appointment, performance, suspension and removal from office of its members;
- (c) the quorum at its meetings; and
- (d) its procedures, including deputising arrangements with regard to its chair.

(3) The provisions with regard to the size, composition and procedures of the Health and Disciplinary Committees may provide for the chair of the Committee to have the power to determine a particular size and composition for the Committee for a particular hearing or inquiry before the Committee, and in particular to determine—

- (a) that only specified members of the full Committee are entitled to sit at the hearing or inquiry and decide the matter to which the hearing or inquiry relates (but he or a deputy chair must be one of the specified members); and
- (b) a different quorum for the hearing or inquiry and the related meetings of the Committee than would otherwise be the case (which must not be less than three),

(1) See paragraphs 3 and 9 of the Charter.

but where the chair does determine a particular size and composition of the Committee for a particular hearing or inquiry, he must nevertheless ensure that the number of registrants who are members of that formation of the Committee does not exceed the number of other members by more than one.

- (4) Rules under this article may in addition include provision with regard to—
- (a) the education and training of members of statutory committees, and the rules may provide that members are to meet competencies that the Council may determine from time to time;
 - (b) the attendance of members of statutory committees;
 - (c) requiring statutory committees to—
 - (i) establish and maintain a system for the declaration and registration of private interests of their members, and
 - (ii) publish in such manner as they see fit entries recorded in their register of members' interests; and
 - (d) what functions a statutory committee is to perform (including functions of the Society under this Order) and how it is to perform those functions.
- (5) Rules under this article shall provide that—
- (a) no person shall be a member of more than one fitness to practise committee;
 - (b) no person shall be both a member of the Council and of the Continuing Professional Development Committee, the Disciplinary Committee, the Health Committee or the Registration Appeals Committee;
 - (c) no person who is a member of a Disciplinary Committee or Health Committee that has made an interim order under article 54 in proceedings in any case shall sit as a member of the Committee in subsequent proceedings in that case, unless the subsequent proceedings relate solely to interim measures under article 54; and
 - (d) the appointment, suspension or removal of the members, chairs and deputy chairs of the statutory committees, apart from the chairs and deputy chairs of the Disciplinary and Health Committees, shall be by the Council, except that the rules may provide for the Council to enter into arrangements with another person, body or group (including a committee established under the Charter) for that person, body or group to carry out all or any of these functions on the Council's behalf.
- (6) The appointment, suspension or removal of the chairs and deputy chairs of the Disciplinary and Health Committees shall be by the Privy Council, but the first chair of the Disciplinary Committee shall be the person who, immediately before the coming into force of this article, is the chairman of the Statutory Committee of the Society.
- (7) The Privy Council may enter into arrangements with the Appointments Commission (and the Appointments Commission may enter into arrangements with the Privy Council) providing for the Appointments Commission to assist the Privy Council in connection with the exercise of the Privy Council's functions under paragraph (6).
- (8) Rules under this article may provide for a statutory committee to—
- (a) have more than one deputy chair;
 - (b) co-opt members onto the committee in such circumstances as may be specified in the rules; and
 - (c) discharge, in such circumstances and subject to such conditions as may be specified in the rules, functions of the Society.
- (9) The powers of a statutory committee may be exercised even though there is a vacancy on it.

