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STATUTORY INSTRUMENTS

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**2010 No. 231**

**The Pharmacy Order 2010**

**PART 5**

**Education, training and acquisition of experience  
and continuing professional development**

**Refusal or withdrawal of approval of courses, qualifications and institutions**

**47.**—(1) Paragraph (2) applies to a case where, as a result of any visitor's report or other information acquired by the Council, the Council is of the opinion that—

- (a) the standards set under article 42(1)(b)(i) are not, or will not, be met by an institution or other provider; or
- (b) an institution or other provider is not observing the requirements referred to in article 42(1)(b)(ii).

(2) In a case to which this paragraph applies, the Council may—

- (a) impose such probationary or remedial arrangements (including action plans for providers of new courses) or such conditions as may be prescribed; or
- (b) refuse to approve, or withdraw approval from, any course of education or training, qualification, test, or institution or other provider to which that opinion relates.

(3) If the Council is considering taking any action under paragraph (2)(a) or (b), the Council must act in accordance with paragraphs (4) to (6).

(4) The Council must—

- (a) notify the institution or other provider concerned of its opinion, setting out its reasons; and
- (b) inform the institution or other provider of the period within which it may make observations on the matters raised, which must not be less than one month beginning with the date on which the reasons are sent to the institution or other provider under subparagraph (a).

(5) The Council may take no further steps before the expiry of the period about which the institution or other provider has been informed under paragraph (4)(b).

(6) If, taking account of any visitor's report or other information acquired by the Council together with any observations submitted by the institution or other provider under paragraph (4), the Council decides that it is appropriate to—

- (a) impose probationary or remedial arrangements or conditions on the institution or other provider; or
- (b) refuse or withdraw approval,

it must send to the institution or other provider concerned at the last known address of the institution or provider a statement in writing giving the institution or other provider notice of the decision and the reasons for it and of the right of appeal to the Appeals Committee under article 40.

(7) A decision under paragraph (6) has effect from the date of the decision or from such later date as may be specified in the decision.

(8) Where, under this article, approval of a course of education or training or an institution or other provider is withdrawn, the Council must use its best endeavours to secure that any person who, at that time, is undertaking that course or is studying at that institution or with that other provider is given the opportunity to attend an approved course conducted by an approved institution or other provider.

(9) Where, under this article, approval of a qualification, a course of education or training or an institution or other provider is withdrawn, that withdrawal does not affect the entitlement of any person to be entered in a part of the Register on the basis of the award of a qualification to that person before the date on which the decision withdrawing approval from that qualification, the course of education or training which led to the award of that qualification or, as the case may be, the institution or other provider that conducted the course that led to the award of that qualification, had effect.

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**Commencement Information**

- I1** Art. 47 in force at 10.2.2010 for specified purposes, see [art. 1\(3\)](#)
- I2** [Art. 47](#) in force at 27.9.2010 in so far as not already in force by [S.I. 2010/1621](#), [art. 2\(1\)](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Pharmacy Order 2010, Section 47.