

SCHEDULES

SCHEDULE 3

Combined lists

PART 4

Deferral of decisions

- 11.**—(1) The circumstances referred to in regulation 15 are—
- (a) the qualified practitioner is suspended from a primary care list or equivalent list;
 - (b) a body corporate of which the qualified practitioner is, has in the preceding 6 months been, or was at the time of the originating events, a director, is suspended from a primary care list or equivalent list;
 - (c) any of the circumstances mentioned in sub-paragraph (2), where the Local Health Board considers it likely that a conviction, or equivalent to a conviction, or a finding against the qualified practitioner would lead to the qualified practitioner’s removal from its combined list if they were included on it.
- (2) The circumstances are—
- (a) active criminal proceedings in relation to the qualified practitioner in the United Kingdom;
 - (b) active proceedings in relation to the qualified practitioner elsewhere in the world relating to conduct, which, if it had occurred in the United Kingdom, would constitute a criminal offence;
 - (c) in respect of a body corporate of which the qualified practitioner is, has in the preceding 6 months been, or was at the time of the originating events a director—
 - (i) active criminal proceedings in relation to that body corporate in the United Kingdom;
 - (ii) active proceedings in relation to that body corporate elsewhere in the world relating to conduct, which, if it had occurred in the United Kingdom, would constitute a criminal offence;
 - (d) in the case of a corporate optician, where in respect of any of its directors—
 - (i) there are active criminal proceedings in the United Kingdom;
 - (ii) there are active proceedings elsewhere in the world relating to conduct, which, if it had occurred in the United Kingdom, would constitute a criminal offence;
 - (e) there is an active investigation anywhere in the world by the qualified practitioner’s licensing or regulatory body or any other investigation (including one by another Local Health Board or equivalent body) relating to the qualified practitioner in their professional capacity;
 - (f) the First-tier Tribunal is considering an appeal by the qualified practitioner against a decision of a Local Health Board to refuse to admit the qualified practitioner to its combined list, or to conditionally include them in, or to remove or contingently remove them from any list kept by the Local Health Board;

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- (g) the First-tier Tribunal is considering an appeal by a body corporate of which the qualified practitioner is, has in the preceding 6 months been, or was at the time of the originating events a director against a decision of a Local Health Board to refuse to admit the body corporate to its combined list, or to conditionally include them in, or to remove or contingently remove them from any lists kept by a Local Health Board or equivalent body;
- (h) the qualified practitioner is being investigated by the NHS Counter Fraud Authority in relation to any fraud;
- (i) a body corporate, of which the qualified practitioner is, has in the preceding 6 months been, or was at the time of the originating events, a director, is being investigated in relation to any fraud;
- (j) the First-tier Tribunal is considering an application from a Local Health Board for a national disqualification of the qualified practitioner;
- (k) the First-tier Tribunal is considering an application from a Local Health Board for a national disqualification of a body corporate of which the qualified practitioner is, or has in the preceding 6 months been, or was at the time of the originating events a director.