STATUTORY RULES OF NORTHERN IRELAND

2014 No. 126

PHARMACY

The Council of the Pharmaceutical Society of Northern Ireland (Indemnity Arrangements) Regulations (Northern Ireland) 2014

Made - - - -	*1st May 2014*
Coming into operation	*1st June 2014*

The Council of the Pharmaceutical Society of Northern Ireland makes the following Regulations in exercise of the powers conferred on it by Articles 11A(4) to (7) of, and paragraphs 15(1)(b), (2) and (3) of Schedule 3, to the Pharmacy (Northern Ireland) Order 1976(**1**). The Department of Health, Social Services and Public Safety(**2**) has approved these Regulations in accordance with Article 25A (2) of that Order(**3**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Council of the Pharmaceutical Society of Northern Ireland (Indemnity Arrangements) Regulations (Northern Ireland) 2014 and shall come into operation on 1st June 2014.

(2) In these regulations—

"appropriate cover" has the meaning assigned to it in Article 11A of the 1976 Order;

"CPD regulations" means the Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 (**4**);

"an indemnity arrangement" has the meaning assigned to it in Article 11A(2) of the 1976 Order;

"the 1976 Order" means the Pharmacy (Northern Ireland) Order 1976; and

"the secretary" means the secretary of the Statutory Committee.

2. A person seeking to be registered (including on an application for restoration) must declare in writing, at the time of the application for their name to be entered in or restored to the register, that that person ---

(a) has in operation, or will have by the time they begin to practise, and indemnity arrangement which provides appropriate cover in relation to that person and

(**1**) S.I. 1976/1213 (N.I.22) as amended by 1981 c.45 & c.55; 1983 c. 54; S.I.1984/703 (N.I.3); S.R 1987 No.457; S.I. 1994/429 (N.I. 2); S.R. 1996 No.393; 2004 c.33; S.R. 2004 No.78; S.R. 2008 No.192;S.R. 2012 No.308and S.R. 2013 No. 258
(**2**) See S.I. 1999/283 (NI 1) Article 3 (6)
(**3**) Article 25A is inserted by Article 9 of S.R. 2012 No.308
(**4**) S.R. 2012 No.312 as amended by S.R. 2013 No.147

(b) will provide, at the request of the registrar, documentary evidence of that indemnity arrangement.

3. A registered person who practises as a pharmaceutical chemist must declare in writing, at the time of the application for their name to be retained in the registrar, that they have in operation and indemnity arrangement which provides appropriate cover in relation to them and will provide at the request of the registrar documentary evidence of that indemnity arrangement.

4. The registrar may at any time require a registered person who practises as a pharmaceutical chemist to submit to the registrar—

(a) documentary evidence that they have in operation an indemnity arrangement which provides appropriate cover; and

(b) such other information as the registrar may reasonably require for the purpose of determining whether the registered person's indemnity arrangement does provide appropriate cover;

within such period as the registrar may determine.

5. The registrar may at any time seek confirmation from a third party in relation to a registered person, or any person seeking to be registered, that that person has in operation, or will have in operation by the time they begin to practise, and indemnity arrangement which provide appropriate cover.

6. A registered person who practises as a pharmaceutical chemist must promptly inform the registrar if for any reason they cease to have in operation, in accordance with Article 11A (1) of the Order, an indemnity arrangement which provides appropriate cover.

7. A registered person who practises as a pharmaceutical chemist must provide, at the request of any person who wishes to access their services, information relating to their indemnity arrangement.

8. Where a decision has been taken under Article 11A (8) of the Order to refuse to retain a person's name in the register, or under Article 11A (9)(a) of the Order to remove a person's name from the register, the decision does not take effect—

(a) until the time for serving a Notice of Appeal on the secretary in respect of the decision has expired, and

(b) where a Notice of Appeal is served within time , until the date on which the appeal is finally disposed of, or is abandoned or fails by reason of its non-prosecution.

Time for serving Notice of Appeal

9.—(1) Subject to paragraph (2), on receipt of the written statement sent by the registrar under Article 11A(10) of the Order, the registered person, or applicant as the case may be, (hereafter referred to as "the appellant") must serve a Notice of Appeal on the secretary within 28 days beginning with, and including, the date on which the written statement was sent.

(2) Where the secretary considers that it was not reasonably practicable for the Notice of Appeal to be served within 28 days, the secretary may by authorisation in writing extend the time limit for serving the Notice of Appeal.

Appeals - other provisions

10. Regulations 14 to 29 of the CPD Regulations(**5**) shall apply to an appeal under Article 11A (11) of the Orders as they apply to an appeal under Article 4A (13) of the Order.

(**5**) Regulations 14 to 29 are inserted by Regulation 9 of S.R. 2013 No. 147