



STATUTORY INSTRUMENTS.

S.I. No. [•] of 2018

PHARMACEUTICAL SOCIETY OF IRELAND (REGISTRATION) (AMENDMENT) RULES 2018

PHARMACEUTICAL SOCIETY OF IRELAND (REGISTRATION) (AMENDMENT)
RULES 2018

The Council of the Pharmaceutical Society of Ireland, in exercise of the powers conferred on the said Society by section 11 of the Pharmacy Act 2007 (No. 20 of 2007) (as adapted by the Health and Children (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 219 of 2011)), with the consent of the Minister for Health, hereby makes the following rules:

1. (1) These Rules may be cited as the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2018.

(2) The Principal Rules, Rule 15 of the Rules of 2015, the Rules of 2017 and these Rules may be cited together as the Pharmaceutical Society of Ireland (Registration) Rules 2008 to 2018 and shall be construed together as one.

2. These Rules come into operation on XXXX 2018.

3. In these Rules—

“Principal Rules” means the Pharmaceutical Society of Ireland (Registration) Rules 2008 (S.I. No. 494 of 2008);

“Rules of 2015” means the Pharmaceutical Society of Ireland (Continuing Professional Development) Rules 2015 (S.I. No. 553 of 2015);

“Rules of 2017” means the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2017 (S.I. No. 100 of 2017).

4. Rule 11 (as amended by Rule 15(b) of the Rules of 2015) of the Principal Rules is amended by inserting after paragraph (8) the following paragraph:

“(9) Where an application for continued registration of a pharmacist—

(a) does not contain, or is not accompanied by, the statement referred to in paragraph 7A(a) of Schedule 2, or

(b) contains, or is accompanied by, a statement referred to in paragraph 7A(b) to the effect that the applicant has, within the previous 12 months, been requested by the Executive Director to submit a report on his or her CPD activities referred to in Rule 11(1) of the CPD Rules, and—

(i) such request was not responded to by the applicant, or

- (ii) such request was responded to but the application for continued registration does not contain, or is not accompanied by, evidence issued by the Institute of Pharmacy under Rule 11(6) of the CPD Rules showing that the outcome has been satisfactory,

Rule 11A shall apply to the application.”

5. The Principal Rules are amended by inserting after Rule 11 the following Rule:

“Procedural provisions relating to failure to comply with CPD requirements

11A. (1) Where an application for continued registration of a pharmacist in Part A of the Register of Pharmacists under section 14 of the Act comes within the circumstances referred to in Rule 11(9), the Council shall inform the applicant by written notice that it proposes to refuse the application.

(2) The notice referred to in paragraph (1) shall state—

- (a) the proposal of the Council,
- (b) the reasons on which the proposal is based, and
- (c) that the applicant has the right to make representations to the Council in response to the proposal within a stated period of time not being less than 28 days from the date of the notice.

(3) A person to whom a notice referred to in paragraph (1) has been issued may, within the period of time referred to in paragraph (2)(c), send written representations to the Council in relation to the proposed refusal of the application for continued registration.

(4) The Council shall, after consideration of any representations sent to it pursuant to paragraph (3), decide whether to grant the application for continued registration or confirm its proposal to refuse the application, as appropriate.”

6. Paragraph 11 (inserted by Rule 6(c) of the Rules of 2017) of Schedule 1 to the Principal Rules is amended—

(a) by substituting for subparagraph (b) the following:

“evidence acceptable to the Council that he or she has trained as a pharmacist outside the State in a majority English or Irish speaking country that has English or Irish recognised as an official language of that country and that the entire course leading to the award of the professional qualification was taught through English or Irish, or”, and

(b) in subparagraph (c), by inserting “, through the English or Irish language,” after “whole time capacity as a registered pharmacist”.

I, SIMON HARRIS, Minister for Health, consent to the making of the foregoing Rules.

L.S. GIVEN under my Official Seal,
[DATE] [MONTH] 2018.

SIMON HARRIS,
Minister for Health.

L.S. GIVEN under the Official Seal of the Council of the Pharmaceutical
Society of Ireland,
[DATE] [MONTH] 2018.

RORY O'DONNELL,
President.

NIALL BYRNE,
Registrar.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Rules amend the Pharmaceutical Society of Ireland (Registration) Rules 2008 to 2017 to provide that failure to comply with continuing professional development requirements can lead to a refusal to continue the registration of a pharmacist in the Register of Pharmacists. In addition, they make changes to the particulars in relation to language competence required to accompany applications for registration.

These Rules may be cited as the Pharmaceutical Society of Ireland (Registration) (Amendment) Rules 2018.

These Rules come into operation on XXXX 2018.

DRAFT