

L.N. 393 of 2007

**HEALTH CARE PROFESSIONS ACT
(CAP. 464)**

Pharmacy Council Disciplinary Procedures Regulations, 2007

IN exercise of the powers conferred by article 51(1)(c) of the Health Care Professions Act, the Minister for Health, the Elderly and Community Care has made the following regulations:-

1. (1) The title of these regulations is the Pharmacy Council Disciplinary Procedures Regulations, 2007. Citation and commencement.

(2) These regulations shall be deemed to have come into force on the 1st June, 2007.

2. These regulations concern the execution of disciplinary procedures taken by the Pharmacy Council against persons Registered with the same Council. Objective.

3. In these regulations, unless the context otherwise requires:- Definitions.

“the Act” means the Health Care Professions Act; Cap. 464.

“notice of inquiry” means the notice issued in accordance with sub-regulation (3) of regulation 15 of these regulations;

“Chairperson” means the chairperson of the Disciplinary Committee appointed in accordance with the provisions of regulation 4 of these regulations;

“charge” means a charge formulated by the Council to describe any reason for the taking of disciplinary action and which is sent to the Committee to initiate the commencement of disciplinary procedures against a member as established in the Act and in these regulations;

“the Committee” means the Disciplinary Committee established by regulation 4 of these regulations;

“complaint” means a complaint made in writing to the Council in accordance with the provisions of the Act or of these regulations;

“the Council” means the Pharmacy Council established by article 15 of the Act;

“List” means the Reserve List drawn up in accordance with regulation 9 of these regulations;

“member” means any person whose name is found listed in one of the Registers held by the Pharmacy Council and whose practice is regulated by the Council in accordance with the provisions of the Act;

“President” means the President of the Council appointed in accordance with article 15 of the Act;

“Register” means any Register kept by the Council in accordance with the provisions of the Act;

“Registrar” means the Registrar of the Council appointed in accordance with the provisions of article 6 of the Act and particularly with rule 1 of the First Schedule to the Act.

The Disciplinary
Committee.

4. (1) There shall be a Committee to be called the Disciplinary Committee.

(2) The Committee shall consist of the following core members:

(a) a Chairperson appointed by the Council, from amongst legal practitioners having 12 years experience as an advocate;

(b) two pharmacists from amongst members Registered in the Register of Pharmacists as established by article 17 of the Act, to be appointed by the Council;

(c) one person from amongst the general public, who is in good standing and who is not a health care professional, appointed by the Council;

(d) one other member from amongst the supplementary members indicated in sub-regulation (3) of this regulation appointed in accordance with the provisions of the said sub-regulation (3) of this regulation.

(3) For each individual case presented to it, the core members of the Committee shall appoint, from amongst members found on the Reserve List established by regulation 9 of these regulations, one of the following as a supplementary member:

(a) one pharmacist from amongst members Registered in the Register of Pharmacists as established by article 17 of the Act to be appointed by the Council and who shall only be eligible to attend hearings concerning disciplinary procedures against a Pharmacist; or

(b) one pharmacy technician from amongst members Registered in the Register of Pharmacy Technicians as established by article 18 of the Act, to be appointed by the Council and who shall only be eligible to attend hearings concerning disciplinary procedures against a Pharmacy Technician; or

(c) one member from any other regulated profession or area of practice for which the Council keeps a Register in accordance with the provisions of the Act:

Provided that this member shall be practising in the area of practice in which the member against whom the proceedings are being taken was practising at the time of the alleged incident:

Provided further that such appointment shall be made by the Chairperson after consultation with the core members of the Committee.

(4) The core members of the Committee shall be appointed for a term of two years and may be re-appointed for a further term or terms after the expiration of their term of office.

(5) The Chairperson and other members of the Committee may resign from office before the expiration of their term of office by letter in writing addressed to the President of the Council.

5. (1) Where for any reason a vacancy arises in the Committee, Filling of vacancies. another member from within the Reserve List established by regulation 9 of these regulations shall be appointed by the Council to fill the vacancy in accordance with the provisions of regulation 4 of these regulations within one month of the vacancy occurring:

Provided that the Committee may continue to exercise its rights and powers until such date as the substitute member is appointed.

(2) Such member shall be so appointed for the unexpired period of the term of office of the member being replaced.

Disqualification for
membership.

6. The following shall be disqualified from being members of a Committee:

- (a) Members of the House of Representatives;
- (b) the spouses of members;
- (c) members of other health care professions regulated by and under the Act; and
- (d) officials of a trade union, as defined by the Employment and Industrial Relations Act.

Cap. 452.

Voting.

7. (1) Every member of a Committee shall be entitled to one vote.

(2) The Chairperson shall also be entitled to a casting vote in cases of equality of votes.

Quorum of the
Committee and the
absence of
Chairperson or any
member from
meetings.

8. (1) The quorum at a meeting of the Committee shall be half the members thereof plus one.

(2) The Committee may act notwithstanding any vacancy provided that a quorum is present.

(3) In the absence of the Chairperson, the other members shall elect a person from among themselves to chair the meeting, and such person shall continue to have his original vote as well as a casting vote.

Reserve List.

9. (1) There shall be a Reserve List.

(2) The Reserve List shall be drawn up by the Council from within members Registered with the Council in accordance with the provisions of the Act.

(3) The List shall be constituted of a minimum of three and a maximum of five members from each regulated profession and from each corresponding area of practice of that profession.

(4) The procedure for appointment of members to the List shall be as follows:

(a) the Council shall by majority voting agree on a list of potential nominees to the List:

Provided that nominated members shall have suitable experience in the practice of the profession;

(b) the Council shall approach each nominated member and through a written document asking the nominee to inform it in writing whether or not he or she accepts the nomination;

(c) members accepting the nomination shall have their names entered in the List.

(5) (a) An entry on the List shall be valid for a period of four calendar years from the date of first entry.

(b) Such entry may be withdrawn if the nominee asks the Council in writing for his removal from the List or if the Council has a justified reason for the removal of the member from the List.

(c) An entry in the List may be renewed for a further term or terms after receipt by the Council of a written consent by the nominee for this renewal.

10. The Committee shall have the following functions:

Functions of the Committee.

(a) to hear and decide upon a charge formulated by the Council in accordance with the provisions of these regulations and presented to the Committee in accordance with the provisions of sub-regulation (3) of regulation 13 of these regulations;

(b) to ensure that disciplinary hearings are carried out in a fair and orderly manner and giving adequate opportunity to both the prosecution and the defence to present their evidence and witnesses and to challenge any member of the Committee and cross-examine any witness presented by the either party;

(c) to ensure that during the course of the disciplinary proceedings, the provisions of the Act and of these regulations are observed at all times;

(d) to ensure that the rights and obligations of the member subject to the disciplinary procedures are made known to him prior to the hearing;

(e) to ensure that in arriving at a decision, the principles of fairness, justice and proportionality are respected; and

(f) to carry out any other function as may be prescribed by the Council in relation to the hearing of disciplinary procedures and taking of disciplinary measures.

Taking of
disciplinary
procedures.

11. (1) No disciplinary proceedings against any member shall be initiated, followed or taken except in accordance with the provisions of the Act and of these regulations.

(2) Disciplinary procedures against a member may be taken through the Committee and in accordance with the provisions of the Act or of these regulations only in cases concerning alleged professional misconduct or unethical behaviour.

(3) The Council shall ensure that any charge filed with the Committee against the member being made subject to disciplinary procedures does not overlap with any charge filed against the same in any court of law:

Provided that in such instances, the Council may request the Committee to determine if there are grounds for the taking of interim measures, notably suspension, against the member until such time that the procedures in front of the court of law are terminated.

Complaints and
information.

12. (1) In accordance with the provisions of article 31 of the Act and without prejudice to sub-regulation (2) of this regulation, the Council may of its own motion decide to initiate disciplinary procedures against a member in accordance with the Act and these regulations:

Provided that such decision is made following a discussion by the Council on the merits of the case and approval to proceed with disciplinary action is given by a simple majority vote.

(2) Where -

(a) a complaint in writing that a member has been convicted by any court in these Islands of any crime punishable by imprisonment for any term exceeding one year or of any of the crimes mentioned in articles 212 to 219 or in articles 221 to 223 of the Criminal Code is sent to the Council by any body or person, or information in writing that a member has been so convicted is sent to the Council by a person acting in a public capacity; or

(b) a complaint in writing on the conduct of a member has been sent to the Council by any body or person, or information in writing as to the conduct of a member has been sent to the Council by a person acting in a public capacity; or

(c) a complaint in writing that a member is unfit to continue to practise his profession on grounds of mental or physical infirmity is sent to the Council by any body or person, or information in writing as to the unfitness of a member to continue to practise his profession on the grounds aforesaid is sent to the Council by a person; or

(d) an event or occurrence or complaint that comes to the attention of any elected or appointed member of the Council in any manner and which is reported to the Council in writing by the said member,

the Registrar shall submit the complaint or any information presented to him to the President.

(3) In so far as a complaint relates to conduct or unfitness on grounds of infirmity, the Council shall not proceed further unless and until it has been confirmed by means of a declaration on oath, if so deemed necessary by the Council; and every such declaration –

(a) shall state the address and description of the declarant, and

(b) if any fact declared is not within the personal knowledge of the declarant, shall state the source of the declarant's information and the grounds for his belief in the truth of the fact.

(4) Subject to the provisions of sub-regulation (2) of this regulation, the President shall direct the Registrar to send a written notification to notify the member of the receipt of the complaint or information stating the substance thereof and sending to the member a copy of any declaration on oath furnished under sub-regulation (2) of this regulation, and to invite the member to submit to the Council, within such date as the President shall determine but which shall be no less than 10 calendar days and no more than 20 calendar days from the date of issue of this notification, any explanation which the member may have to offer; and every such explanation must be in writing and must reach the Registrar within the time fixed by the President:

Provided, however, that in so far as a complaint or information relates to conduct, if it does not appear to the President that a question arises whether the said conduct constitutes inappropriate conduct in a professional respect, he shall direct the Registrar to refer such complaint or information to the Council either to decide whether to proceed or whether to be considered as frivolous and not to proceed on such. Should

the Council decide to proceed, it shall direct the Registrar to notify the member in accordance with the provisions of this sub-regulation.

(5) Subject to the foregoing provisions of this regulation, the President shall, on receipt of an explanation by the member or else on the expiry of the time limit established under sub-regulation (3) of this regulation, direct the Registrar to refer during the immediate next Council meeting, the complaint or information to the Council together with any explanation then furnished by the member and any declarations on oath furnished under sub- regulation (2) of this regulation.

(6) In this regulation the expression “person acting in a public capacity” means an officer of a government department or public authority acting as such, or any person holding judicial office or any officer attached to a court or any person so authorised by the Council to hold investigations on the conduct of members.

Decision to proceed with disciplinary procedures or otherwise.

13. (1) When a case is presented to the Council in accordance with the provisions of sub-regulation (4) of regulation 12 of these regulations, the Council may either decide that the explanation provided by the member is adequate and sufficient or to proceed further in accordance with regulation 14 of these regulations:

Provided that in arriving at this decision the Council shall take into consideration the merits of the case on the following basis:

(a) the prospect of the case leading to the finding of actual misconduct;

(b) the need to ensure the proper interpretation of the code of ethics or parts thereof and the need to keep this updated with current realities;

(c) the need to protect the public against malpractice and misconduct on both a professional and ethical basis;

(d) the need to ensure and protect the reputation, and public confidence, of the profession;

(e) the need to protect members from unwarranted or vexatious allegations; and

(f) any other matter deemed necessary or relevant to the complaint in question:

Provided further that the decision on the course of action to be taken in accordance with these regulations shall be decided by a simple majority vote.

(2) When the Council deems the explanation offered by the member to be a sufficient explanation the Council may decide to:

- (a) consider the case closed and take no further action; or
- (b) consider the explanation as sufficient to stop the taking of further disciplinary proceedings against the member but that the case merits the issue of a letter of guidance to the member in respect of the case in question; or
- (c) consider the explanation as sufficient to stop the taking of further disciplinary proceedings against the member but that the case merits the issue of a letter of warning to the member in respect of the case in question:

Provided that in such an instance the Council may reserve the right to take further action against the member in relation to this case should the Council receive further information or receives other similar or other complaints on the conduct of the member within a period of not less than six months but not more than one year from the date of the letter of warning.

(3) When the Council deems the explanation offered by the member to be an insufficient explanation, the Council:

- (a) shall specify, in the form of a charge, the matters into which the inquiry is to be held; and
- (b) may, if it deems appropriate, appoint any other person to assist the Registrar in the prosecution; and
- (c) shall direct the Registrar to submit the case to the Committee in accordance with the provisions of regulation 14 of these regulations.

(4) Consequent to its decision, the Council shall direct the Registrar to inform the complainant of the decision of the Council:

Provided that the Council may direct the Registrar to forward the complainant with any other information or explanation it may deem necessary:

Provided further that the Registrar shall send this information to the complainant within thirty working days of the taking of the decision by the Council.

Referral of a case to the Committee.

14. (1) On receipt of a direction by the Council to refer a case to the Committee, the Registrar shall:

(a) present the written charge to the President for confirmation or otherwise and finalise the wording of the charge as may be directed by the President to reflect the decision of the Council:

Provided that such process shall be completed within fourteen working days of the receipt of direction; and

(b) submit to the Committee a dossier of the case and such dossier shall contain the following:

(i) a written request asking that the Committee arrange for the hearing of the case in accordance with the provisions of the Act and of these regulations;

(ii) a copy of the charge and the contact details of the member to whom the charge refers;

(iii) a copy of the complaint;

(iv) any other document or evidence that is relevant to the hearing of the case and which is in the possession of the Council;

(v) a list of witnesses and documents and evidence to be presented in front of the Commission for these to be considered or heard by the Commission during the disciplinary proceedings;

(vi) any other item that the Registrar, the President or the Council deems relevant to the hearing of the case.

(2) The dossier shall be presented to the Chairperson within a maximum of thirty calendar days from receipt of the Council's direction.

Notice of inquiry.

15. As soon as may be and after receipt of the dossier as described in regulation 14 of these regulations, the Committee shall:

(a) appoint a supplementary member to the Committee in accordance with the provisions of sub-regulation (3) of regulation 4 of these regulations:

Provided that the supplementary member has declared no conflict of interest in the case;

(b) decide on a date, time and place in which and where the inquiry shall be held:

Provided that the inquiry shall not be held before the elapse of fifteen working days and not more than sixty working days from the date of issue of a notice of inquiry as determined by sub-regulation (2) of this regulation;

(c) issue a notice of inquiry that shall be in the form set out in Form A contained in the First Schedule to these regulations, with such variations as circumstances may require and such notice shall be sent to the Registrar and the member under investigation:

Provided that the notice shall be issued within a maximum period of thirty working days from the date of receipt of the dossier;

(d) together with the notice, there shall be sent to the member being investigated:

(i) a copy of these regulations;

(ii) a statement of the rights and obligations of the member;

(iii) a copy of the original charge;

(iv) guidance on the place, time and method that may be followed in order to view all documented evidence relevant to the inquiry and which is in the possession of the Committee; and

(v) any other information deemed relevant and necessary.

16. Where before the date of the hearing of an inquiry or at any stage of the hearing either the prosecution or the defence bring to the attention of the Committee that there is a justified cause for the postponement or adjournment of the hearing, then the Committee shall

Postponement or adjournment.

discuss the merits of this reason and decide accordingly to postpone, adjourn or proceed with the hearing of the case.

Public proceedings.

17. Proceedings before the Committee shall be held in public. However the Committee may, when it considers it expedient, order that the proceedings be held in private.

Abstention or challenge.

18. (1) Any core member or supplementary member of the Committee shall abstain from taking part in any inquiry or may be challenged in any of the circumstances in which a judge would abstain or can be challenged in accordance with the provisions of article 734 of the Code of Organization and Civil Procedure.

(2) Any such challenge shall not be admissible unless made before the reading out by the Registrar of the charge to the member.

(3) The Committee shall decide, by majority vote and its decision shall be final.

Legal and other assistance.

19. (1) Any party to the proceedings before the Committee may be assisted by an advocate or legal procurator. The member may also be assisted by any other member whose name appears in any Register held by the Council.

(2) Before the start of proceedings, the Chairperson shall bring the provisions of this regulation to the notice of any party to the proceedings appearing before the Committee without any such assistance.

Opening of proceedings and the reading of charge.

20. (1) The proceedings on the inquiry shall commence with the Chairperson's statement who will:

- (a) state the date, time and place of the hearing;
- (b) state the names of the parties concerned; and
- (c) declare the hearing open.

(2) The Chairperson will consequently invite the Registrar or his representative to read out the charge.

(3) Thereupon the Chairperson shall put to the member the question whether he admits or refutes the charge.

Admission or refutation.

21. (1) If the member admits the charge the Committee shall:

(a) dispense with the production of witnesses and proceed to give its decision on that day or on any other day, but no more than 30 calendar days from the date of the hearing, appointed for the purpose; or

(b) continue with the hearing of the witnesses and evidence should it so decide that it must hear certain evidence before deciding on the punishment;

(2) If the member refutes the charge the Committee shall proceed with the inquiry.

(3) If the member under investigation fails to attend without just cause and the Committee is satisfied that a notice of inquiry was sent and received as required by these regulations, the Committee may, if it thinks fit, proceed with the inquiry even in his absence:

Provided that, however, if the member is unable to attend for a just cause, he may, if he so prefers, request that the inquiry be proceeded in his absence or in the presence of his appointed representative.

22. The proceedings on an inquiry shall be as follows:

Proceedings.

(a) witnesses in support of the charge shall be produced and examined by the Registrar or his representative and cross-examined by the member or his representative; thereafter any member of the Committee shall be at liberty to put questions as he may deem necessary;

(b) witnesses in defence shall be heard and in case the member wishes to give his evidence, he may do so provided his evidence be given before that of any witness to be produced by him. Witnesses shall be examined by the member or his representative and cross-examined by any other party or his representative to the proceedings; thereafter any member of the Committee shall be at liberty to put questions as he may deem necessary;

(c) when the whole of the evidence has been concluded, the Registrar shall be given the opportunity to address the Committee on the evidence provided and consequently, the member shall, personally or through the person by whom he is assisted, address the Committee and make his defence;

(d) the Committee shall then deliberate on the evidence and witnesses brought forward and the arguments presented to it by both parties to determine, by majority voting, whether the charge:

- (i) has been proven to the full; or
- (ii) has only been partially proven;
- (iii) has not been adequately proven; or
- (iv) has been disproved;

(e) the Committee shall give its decision on that day or on any other day, but no more than thirty calendar days from the date of the hearing, appointed for the purpose;

(f) the Committee shall not be debarred at any stage of the proceedings until the decision is given from rehearing any witness or requesting the production of any documents.

Charge proven.

23. When the Committee determines that the charge has been fully or partially proven, the Committee shall consequently determine the appropriate disciplinary sanctions to be applied in such case:

Provided that any such sanction or sanctions shall be imposed in line with the provisions of regulation 34 of these regulations:

Provided further that such sanction shall be one that reflects, but not exclusively, the principles of:

- (a) proportionality to the breach in ethics or acceptable professional conduct;
- (b) proportionality to the negative impact on the profession or its practice; and the
- (c) fair justice and hence of proportionality to the negative repercussions, both material and non-material, to the aggrieved person or entity or on the standing or reputation of the profession.

Charge not proven.

24. In all cases where the Committee is satisfied that the charge has not been adequately proven, the Committee shall close all proceedings and clear the member under investigation of the charge or charges brought against him or her.

25. (1) The Committee shall keep in printed and electronic record the charge, the decision of the Committee and, if relevant, describe the corresponding disciplinary measure taken. Records.

(2) All documentation, evidence and transcripts of the procedures shall be duly filed and kept by the Committee.

(3) The Registrar shall file and store the records in a manner that ensures their preservation, access and reference by the Council, the Committee or the general public.

26. (1) The decisions of the Committee shall be given in public and in writing; they shall be signed by the Chairman. Decisions given in public and in writing.

(2) The original, together with the complete record of the inquiry, shall be sent to the Registrar immediately upon the closure by the Committee of the disciplinary procedures.

27. Where under any of the foregoing provisions of these regulations the inquiry stands postponed to a future meeting, the validity of the proceedings at that meeting shall not be called into question by reason only that members or supplementary members of the Committee who were present at the former meeting were not present at the later meeting or that members or supplementary members of the Committee who were present at the later meeting were not present at the former meeting. Validity of proceedings.

28. The Chairperson shall serve without delay on the member and the Council a copy of the decision. Copy of decision.

29. Notice to any person to appear before the Committee to give evidence and, or produce documents shall be in the form set out in Form B contained in the Second Schedule hereto. Form of summons to give evidence.

30. (1) Every notice referred to in these regulations shall be signed by the Chairman and served in accordance with the provisions of article 36 of the Act: Signature and serving of notices.

(2) Any notice issued under regulation 15 shall be served in accordance with the provisions of article 37 of the Act.

31. The members and the supplementary members of the Committee shall not divulge anything discussed by the Committee in the course of an inquiry. Confidential discussions.

Other proceedings.

32. Unless determined by the Act or these regulations and unless otherwise expressly provided, the Committee shall regulate its own procedure.

Appeals.

33. Any party to an appeal to the Board who feels aggrieved by a decision of the Committee may, if it feels dissatisfied with any such decision on a question of law, appeal to the Court of Appeal as constituted in accordance with article 41(6) of the Code of Organization and Civil Procedure by means of an application filed in the registry of that court, in the case of an appeal by the Authority within thirty days from the date of the Board's decision, and in the case of any person within thirty days from the date on which that decision has been served on him.

Penalties.

34. (1) Where a member is declared to be guilty of the charges brought against him, the Committee shall decide on the appropriate disciplinary action on the basis of the principles encapsulated in regulation 23 of these regulations and shall refer to the provisions of sub-regulations (2), (3) and (4) of this regulation as a guide to the requirement of proportionality between the disciplinary action and the gravity of the infringement committed.

(2) In those cases where the Committee deems the infringement is of minor consequence to the profession, its reputation, the practice or to the concerned third party, the Committee may:

- (a) issue a letter of warning; or
- (b) impose a penalty of not less than Lm10 and not more than Lm150; or
- (c) declare that in the event that the member is found guilty of any other breach of conduct by the Committee within the ensuing one calendar year, the latter infringement shall be considered in conjunction with the former infringement in determining the severity of the disciplinary action to be taken; or
- (d) effect any combination of the above.

(3) In those cases where the Committee deems the infringement is of moderate consequence to the profession, its reputation, the practice or to the concerned third party the Committee may:

- (a) issue a letter of reprimand; or

(b) impose a penalty of not less than Lm100 and not more than Lm500; or

(c) declare that in the event that the member is found guilty of any other breach of conduct by the Committee within the ensuing two calendar years, the latter infringement shall be considered in conjunction with the former infringement in determining the severity of the disciplinary action to be taken; or

(d) order the temporary removal of the member from the Register of not less than one month and not more than eight months effective duration:

Provided that the Committee may include conditions on the member for reinstatement to the Register such as the obligation to successfully undertake specific training or partake in a continuous professional development programme during the said period of application of disciplinary action; or

(e) effect any combination of the above.

(4) In those cases where the Committee deems the infringement is of grave consequence to the profession, its reputation, the practice or to the concerned third party the Committee may:

(a) issue a letter of reprimand and declare that should the member be found guilty of any other breach of conduct by the Committee within the ensuing three calendar years, the latter infringement shall be considered in conjunction with the former infringement in determining the severity of the disciplinary action to be taken; or

(b) impose a penalty of not less than Lm500 and not more than Lm5,000; or

(c) order the temporary removal of the member from the Register;

Provided that the period of temporary removal shall be of a minimum of nine calendar months but not exceeding 18 months:

Provided further that the Committee may include conditions on the member for reinstatement to the Register such as the obligation to successfully undertake specific training or partake in a continuous professional development programme during the said period of application of disciplinary action; or

(d) order the erasure of the member from the Register in line with the provisions of the Act; or

(e) effect any combination of the above.

Payment of
penalties.

35. (1) The payment of any penalty imposed in accordance with these regulations shall be paid to the Council within one calendar month from the issue of the decision.

(2) Non-compliance to the provisions of sub-regulation (1) of these regulations shall be deemed as an offence and the defaulting member shall incur a further daily penalty of Lm1 for each additional day until such day that the total sum due is paid:

Provided that the Council may, for justified reasons, waive or reduce this daily penalty.

(3) In this regulation, total sum shall be construed to mean any penalty or further penalty imposed in accordance with these regulations together with the sum total of the daily penalty or fine imposed by sub-regulation (2) of this regulation.

FIRST SCHEDULE

(Regulation 15)

FORM A

PHARMACY COUNCIL

DISCIPLINARY COMMITTEE

Notice of an Inquiry

To (date)

.....

I hereby give you notice that the Pharmacy Council has ordered that an inquiry be held to consider and decide on the imputation brought against you, namely that

You are hereby being informed that for this reason the Disciplinary Committee has received from the Council the relative file so that an inquiry be proceeded against you and is appointing the first sitting of the said inquiry on the..... of..... 20 at..... at on the following charge:

.....

You are accordingly being granted two weeks time to reply in writing to the imputations brought against you and you are being warned that should you not file a reply and fail from attending for the said hearing in to put up a defence, without any reasonable explanation, the Committee may proceed to hear the case and decide same in your absence.

A copy of the Pharmacy Council Rules on Disciplinary Proceedings is attached hereto for your better guidance.

Chairperson
Disciplinary Committee

SECOND SCHEDULE

(Regulation 29)

FORM B

PHARMACY COUNCIL

DISCIPLINARY COMMITTEE

Notice to a person to give evidence and/or to bring documents, etc.

To (date)

You are hereby required to attend before the Disciplinary Committee on the of 20 at at and in the same manner on any other day for which the hearing is put off, to give evidence and/or to bring the following documents in the matter forming the subject of an inquiry against.....

You are hereby being warned that should you fail to attend as hereby required, you are liable to the penalties laid down by law.

Chairperson
Disciplinary Committee