



DRAFT

STATUTORY INSTRUMENTS.

S.I. No. [] of 202[YEAR].

MEDICAL COUNCIL (ESTABLISHMENT OF SUBCOMMITTEES OF
THE PRELIMINARY PROCEEDINGS COMMITTEE) RULES 202[YEAR].

ARRANGEMENT OF RULES

Parts

1. Preliminary
2. Establishment and Appointment
3. Composition
4. Persons to assist the subcommittees
5. Functions and Procedures

The Medical Council, in exercise of the powers conferred on it by section 11 of the Medical Practitioners Act (No. 25 of 2007), hereby makes the following rules:-

Part 1

Preliminary

1. These rules may be cited as the Medical Council (Establishment of Subcommittees of the Preliminary Proceedings Committee) Rules 202[YEAR].
2. These rules will commence on the [day] of [Month] 202[YEAR].
3. In these rules-

"Act" means the Medical Practitioners Act 2007 (No. 25 of 2007);

"chairperson of the PPC" means the chairperson of the PPC as appointed by the Council.

"chairperson of a subcommittee" means a chairperson assigned by the chairperson of the PPC under rule 11.

"Chief Executive Officer" means the chief executive officer of the Council appointed under section 24(1) of the Act.

"Council" means Comhairle na nDochtúirí Leighis or the Medical Council established by the Medical Practitioners Act 1978 and continued in being by section 4(1) of the Act;

"Fitness to Practise Committee" means the committee established under section 20(2)(b) of the Act;

"medical practitioner" means a person who holds a basic medical qualification;

"Preliminary Proceedings Committee" and *"PPC"* means the committee established under section 20(2)(a) of the Act.

Other words and phrases in these rules shall have the meaning assigned to them in the Act. Where there is a difference between the meaning assigned to words and phrases in these rules, and words and phrases in the Act, the meaning assigned shall be the meaning assigned in the Act.

These rules shall at all times be applied in a manner that is consistent with the Act.

Part 2

Establishment and Appointment

4. The chairperson of the PPC or such other member of the Preliminary Proceedings Committee (“**PPC**”) as appointed by the chairperson of the PPC may establish such subcommittee or subcommittees of the PPC as he or she sees fit.
5. Subject to Rule 4, the chairperson of the PPC, or such other member of the PPC as appointed by the chairperson of the PPC shall appoint such members of the PPC as he or she sees fit to a subcommittee or subcommittees of the PPC.
6. A subcommittee of the PPC shall not be entitled to itself establish a subcommittee.

Part 3

Composition

7. Each person who is member of a subcommittee of the PPC shall be a member of the PPC.
8. A subcommittee of the PPC may include persons who are not members of the Council. However, at least one third of the members of a subcommittee of the PPC shall be members of the Council.
9. A person who is a member of the Fitness to Practise Committee shall not be a member of the PPC or a subcommittee of the PPC.
10. The majority of members of a subcommittee of the PPC shall be medical practitioners.
11. The chairperson of the PPC will assign a chairperson to a subcommittee established under these rules. Such chairperson may include the chairperson of the PPC. Where the chairperson of a subcommittee is not available to chair all or part of a meeting of the subcommittee, then the

subcommittee shall choose another one of its members to chair the meeting.

12. The minimum composition of a subcommittee of the PPC shall be three persons.

Part 4

Persons to Assist a Subcommittee

13. Persons appointed by the Chief Executive Officer or the Council pursuant to the Act to investigate complaints and / or assist the PPC shall also assist subcommittees of the PPC.

Part 5

Functions and Procedures

14. Where a subcommittee of the PPC is established pursuant to these rules, that subcommittee shall perform the functions of the PPC, as applicable, in respect of its functions under Part 7 of the Act, and every reference in the Act to the PPC shall, unless the context otherwise requires, be construed as including a reference to the subcommittee.

GIVEN under the Official Seal of the Council, [date]
202[].

DOCTOR SUZANNE CROWNE, President.

MR {INSERT NAME}, Chief Executive Officer.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” on [day] [month] 202[].

EXPLANATORY NOTE

These rules have been drafted pursuant to section 11 of the Medical Practitioners Act 2007. These rules provide greater detail with respect to the

establishment, composition, functions and procedures of subcommittees established by the Preliminary Proceedings Committee to carry out initial investigations into specified complaints and otherwise perform the functions of the Preliminary Proceedings Committee under Part 7 of the Act, in respect of such complaints.