

PSI Council Public Meeting Minutes

Minutes of meeting number 118 of the Council of the Pharmaceutical Society of Ireland (PSI), as established under the Pharmacy Act 2007, the public session of which commenced at 09:00 am on Thursday 25th November 2021. The meeting was held online due to the COVID-19 Public Health Emergency, and in accordance with rule 19(2) of the Pharmaceutical Society of Ireland (Council) Rules 2008 (S.I. No. 492 of 2008), and (S.I. 532 of 2020) Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Health) (Designation) Order 2020.

Agenda Item A - Attendees & Apologies

Name	Role	Present (Yes/No)
Ms. Muireann Ní Shúilleabháin	President	Yes
Mr. Rory O'Donnell	Vice President	Yes
Mr. John Given	Council Member	Yes
Mr. Graham Knowles	Council Member	Yes
Ms. Katherine Morrow	Council Member	Yes
Dr. Shane McCarthy	Council Member	Yes
Mr. Paul Turpin	Council Member	Yes
Ms. Ann Sheehan	Council Member	Yes
Prof. Brian Kirby	Council Member	Yes
Ms. Fiona Walsh	Council Member	Yes
Mr. Mark Jordan	Council Member	Yes
Ms. Joanne Kissane	Council Member	Yes
Ms. Dorothy Donovan	Council Member	Yes
Ms. Grainne Power	Council Member	Yes
Ms. Geraldine Crowley	Council Member	Yes
Mr. Seán Reilly	Council Member	Yes
Dr. Paul Gorecki	Council Member	No
Ms. Marie Louisa Power	Council Member	Yes
Mr. Roy Hogan	Council Member	Yes
Ms. Geraldine Campbell	Council Member	Yes
Mr. Fintan Foy	Council Member	No

Members of PSI staff in attendance online for all or part of the meeting included:

Mr. Niall Byrne	Registrar
Dr. Lorraine Horgan	Head of Corporate Services
Mr. Éanna Ó Lochlainn	Governance and Planning Officer
Dr. Cheryl Stokes	Head of Governance and Programme Delivery
Ms. Caroline Murphy	Acting Legal Affairs Manager

Colour code: *Red—for decision; Green—for discussion; Blue—for information*

Agenda Item B – Declaration of Interest by Members of Council**Issue**

Declaration of interests by members of Council.

Information

The President drew Council members' attention to their obligations under paragraph 9 of Schedule 1 to the Pharmacy Act 2007, which deals with the necessary disclosure of certain interests by members of the Council.

Decision Approved, and/or Action Requested by Council

No conflicts of interest were declared.

Agenda Item C – Draft Minutes of Public Council Meeting No. 117**Issue**

The Draft Minutes of Public Council Meeting No. 117 were tabled for approval by Council

Information

The President noted that the draft minutes had been circulated to Council in advance of the meeting, and that no amendments had been received to the minutes as drafted.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council approved the draft minutes of the public session of Council meeting number 117, held on the 7th of October 2021, on the proposal of Ms. Marie Louisa Power, and seconded by Mr. Rory O'Donnell.

Agenda Item D – Request for Approval by Council of the Role specification for the Position of Registrar of the PSI.

Issue

Council was asked to approve the role specification for the position of PSI Registrar in order that recruitment for the position could commence, subject to receipt of the required sanction to do so from the Department of Health.

Information

A copy of the role specification had been circulated to Council members in advance of the meeting.

Decision Approved, and/or Action Requested by Council

Decision Approved: Council agreed to approve the role specification for the position of Registrar of the PSI, on the proposal of Ms. Joanne Kissane, and seconded by Ms. Dorothy Donovan.

Agenda Item E.1– Request for Approval of Delegations Pursuant to Section 23A of the Pharmacy Act 2007 as amended, and to 56(1) s56(2) of the Pharmacy Act 2007 as amended.

Issue

Request for Decision by Council in relation to Delegations to the Registrar, of the powers and/or functions under Section 23A of the Pharmacy Act 2007 , and under 56(1) of the Pharmacy Act 2007 as amended.

Information

Council was informed that Section 59 of the Regulated Professions (Health and Social Care) Amendment Act, 2020 amends the Pharmacy Act 2007 (“the Act”), to create a new provision which requires a new delegation, and also amends an existing provision of the Act, the powers under which were already delegated, such that the prior delegation of those powers now needs to be revoked in order to create a new delegation consistent with the amendment. The provisions are:

1. Section 23A of the Pharmacy Act 2007. , This is a new provision which provides that Council may seek information from another health or social care regulator inside or outside the jurisdiction, in relation to any pharmacist who has been refused registration; has been suspended; has conditions placed on his/her registration;

has a conviction; or in relation to the pharmacist's qualification or registration. The Council was asked to approve the delegation of the power to request this information provided for in section 23A of the Pharmacy Act 2007, to the PSI Registrar as set out in Motion No. 2, effective immediately.

2. Section 56(1) of the Pharmacy Act 2007 was amended by section 70 of the Regulated Professions (Health and Social Care)(Amendment) Act 2020 and, now provides that it is no longer a requirement that the Minister for Health be notified of the sanction of a registrant, but rather that the HSE be notified by Council instead. Section 56(1) continues to provide that any other persons as it thinks fit, shall be notified by Council of the sanction imposed by the PSI, on a registrant, following a fitness to practise hearing. The Council was therefore asked to first revoke the previous delegation under s56(1) as set out in Motion No. 1, and thereafter to create a new delegation to the PSI Registrar in accordance with the amendments to s56(1), as set out in Motion No. 2, effective immediately.

Decision Approved, and/or Action Requested by Council

Decision Approved:

1. In pursuance of the powers vested in it by the Pharmacy Act 2007 and in particular by Sections 9(1), 11(1), (2) and (8) therein, the Council hereby revokes the Delegation reference number 12 of Motion No. 1 of 21 October 2009, as set out in Motion No. 1 of 25 November 2021 on the proposal of Mr. Roy Hogan, seconded by Prof. Brian Kirby

2. In pursuance of the powers vested in it by the Pharmacy Act 2007 and in particular by Sections 9(1), 11(1), (2) and (8) therein, the Council hereby delegates the following tasks, powers, and functions, effective immediately:

(i) For the purposes of Section 56(1) to delegate to the Registrar the task of notifying the Health Service Executive and such other persons as he/she thinks fit to be notified as soon as practicable of:

- (a) the cancellation of a registration,
- (b) the restoration of a registration,
- (c) the suspension of a registration,
- (d) the expiry of a suspension,
- (e) the attachment of conditions to a registration,

(f) the removal of conditions from a registration,
(g) the prohibition for a specified period of a pharmacist or pharmacy owner from applying for restoration to the register,
(h) the admonishment or censure of a registered pharmacist or pharmacy owner.

(ii) For the purposes of Section 23A (1), to delegate to the Registrar, the power and function to request information about a registered pharmacist in respect of those matters specified in Sections 23A (1) and 23A(2) from a duly authorised body in accordance with the requirements referred to in Section 23A;

as set out in Motion No. 2 of 25 November 2021 on the proposal of Ms. Joanne Kissane, seconded by Mr. Rory O'Donnell.

The meeting concluded at 09:15am

President

Date