



STATUTORY INSTRUMENTS.

S.I. No. 114 of 2015



PHARMACEUTICAL SOCIETY OF IRELAND (COUNCIL)
(AMENDMENT) RULES 2015.

PHARMACEUTICAL SOCIETY OF IRELAND (COUNCIL)
(AMENDMENT) RULES 2015

The Council of the Pharmaceutical Society of Ireland, in exercise of the functions conferred on the said Society by section 11 of the Pharmacy Act 2007 (*No. 20 of 2007*), hereby makes the following rules:—

1. (1) These Rules may be cited as the Pharmaceutical Society of Ireland (Council) (Amendment) Rules 2015.

(2) The Principal Rules and these Rules shall be construed as one and may be cited together as the Pharmaceutical Society of Ireland (Council) Rules 2008 and 2015.

2. These Rules shall come into operation on 1 April 2015.

3. In these Rules “Principal Rules” means the Pharmaceutical Society of Ireland (Council) Rules 2008 (S.I. No. 492 of 2008).

4. Rule 14 of the Principal Rules is amended—

(a) in paragraph (1), by substituting “paragraphs (2) and (3)” for “paragraph (2)”, and

(b) by inserting after paragraph (2) the following paragraph:

“(3) No person shall be included in a panel, and accordingly deemed to have been selected by the members of the Society as being eligible for appointment to the Council, unless he or she has obtained not less than 20% of the vote calculated on the basis of the number of votes held when the count concluded against the quota established for the particular election.”

5. Rule 17 of the Principal Rules is amended—

(a) in paragraph (4)—

(i) by substituting “21 working days” for “14 days”, and

(ii) by substituting “10 working days” for “3 working days”,

(b) by substituting for paragraphs (5) to (9) the following paragraphs:

“(5) A member of the Council, being a member of the Society, wishing to stand for election as President or Vice-President, shall provide to the presiding officer—

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 3rd April, 2015.

- (a) an undertaking of his or her willingness to serve as President or Vice-President, as the case may be, if elected,
- (b) a declaration that he or she understands the purposes and functions of the Society and the rules governing the operation of the Council, and
- (c) a personal statement, including a declaration setting out how he or she intends, if elected, to pursue the statutory functions of the Society and to fulfil his or her role as set out in the PSI Corporate Governance Framework as may be adopted from time to time by the Council,

and, in so doing, shall be entitled to submit a nomination on his or her own behalf.

- (6) (a) When an election for the offices of either the President or the Vice-President is to be held, the presiding officer shall, not later than seven working days in advance of the date of the Council meeting at which the election is to take place, send either by post or electronically, to each member of the Council who is to be in office on the date of the said meeting, a ballot paper containing the information set out in subparagraph (b).
- (b) The ballot paper referred to in subparagraph (a) shall include—
 - (i) a list of candidates in alphabetical order,
 - (ii) the personal statement referred to at paragraph (5)(c), submitted by each of the candidates, and
 - (iii) a statement that the ballot papers shall be returned to the presiding officer in accordance with the instructions set out in subparagraphs (d) and (e) below or placed personally in the ballot box before the commencement of the Council meeting at which the elections are to take place.
- (c) The presiding officer shall ensure that the system of issue, return and custody of the ballot papers referred to in subparagraph (a) is such as to protect the validity, integrity and confidentiality of the election process.
- (d) The following instructions shall be included with the ballot papers referred to in subparagraph (a)—

(i) that the completed ballot paper is to be placed within an inner envelope, which is to be duly sealed and which shall be clear of any markings other than a pre-printed marking indicating that the ballot paper is to be placed inside it, and

(ii) that the sealed inner envelope is to be placed within an outer cover envelope, upon which the voter is to, in the spaces provided—

(A) write his or her name, and

(B) sign and date the envelope.

(e) Unless the ballot papers referred to in subparagraph (a) are, when completed, to be personally placed in the ballot box before the commencement of the Council meeting at which the election is to take place, the said ballot papers shall be returned to the presiding officer to be received by him or her at the address nominated by him or her, as specified on the outer cover envelope, not later than 5.00 p.m. on the day before the day of the election.

(7) In the event that no nominations are received by the presiding officer in advance of the Council meeting at which an election is due to take place and notwithstanding paragraph (4), nominations may be accepted on the day of the said meeting and, notwithstanding Rule 19(2), the election shall proceed on the basis of the votes cast by the members of the Council present at the meeting.

(8) The counting of votes for the election of President or of Vice-President shall be carried out by the presiding officer during the Council meeting at which the election is taking place.

(9) On the conclusion of the count, the presiding officer shall declare the names of those candidates deemed to be elected as President or, as the case may be, as Vice-President and those persons thereby elected shall immediately take up their respective offices. The presiding officer shall give written notice of the names to the Minister and shall also publish the names on the Society's website.”, and

(c) by deleting paragraph (10).

I, KATHLEEN LYNCH, Minister of State at the Department of Health, in exercise of the powers conferred on me by section 11(5) of the Pharmacy Act 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)) and the Health (Delegation of Ministerial Functions) Order 2014 (S.I. No. 532 of 2014), consent to the making of the foregoing Rules.

GIVEN under my hand,
31 March 2015.

KATHLEEN LYNCH,
Minister of State at the Department of Health.

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], hereby makes the foregoing Rules.

Dated this 31st day of March 2015.

L. CLARKE,
President.

M. KINSELLA,
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 (Council) Rules 2008 (S.I. No. 492 of 2008) for the purpose of enabling all members of the Council of the Society to participate in the election of the President and Vice-President, including by postal ballot. They set out the procedures for the conduct of such elections.

The rules also establish arrangements for the formation of a panel of pharmacist candidates who are deemed to have been selected by the members of the Society as being eligible for appointment to the Council in the event that casual vacancies arise in the membership of the Council and provided that the candidates concerned have obtained not less than 20% of the vote calculated on the basis of the number of votes held when the count concluded against the quota established for the particular election.

These Rules may be cited as the Pharmaceutical Society of Ireland (Council) (Amendment) Rules 2015 (S.I. No. 114 of 2015).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
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