

JCCP Voluntary Erasure Rules

1 These rules shall be known as the JCCP Voluntary Erasure Rules and shall be effective from April, 2018.

2 Interpretation

3 In these Rules—

“applicant” means a person applying for his name to be erased from the JCCP register;

“Case Examiner” means two persons, one registrant and one lay, appointed from the Panel Member Pool for the purposes of considering an application for voluntary erasure;

“the Council” means the Joint Council for Cosmetic Practitioners, also known as “the JCCP”

“the Investigation Panel” means a Panel appointed pursuant to Rule 29 of the JCCP Fitness to Practice Rules;

“erasure application” means an application for voluntary erasure made in accordance these rules;

“lay”, means a person who is not and never has been a registrant of the JCCP and does not hold qualifications which would entitle them to apply for registration with the JCCP;

“medical advisor” means a registered medical practitioner appointed by the Council;

“Fitness to Practice Hearing Panel” means a Fitness to Practice Hearing Panel constituted under Rule 37 of the JCCP Fitness to Practice Rules;

“Fitness to Practice Rules” means the JCCP Fitness to Practice Rules;

“practitioner” (except where there is reference to a registered medical practitioner), means a person registered with the JCCP who agrees to be regulated by them;

“the register” means the JCCP register;

“Registrant” means a member of the JCCP register.

Voluntary erasure applications

3.

1 A practitioner may apply in writing to the Registrar in accordance with these rules for his name to be erased from the register.

2 An erasure application shall include the following—

(a) the practitioner’s name and registration number;

(b) the practitioner’s registered address or, if post is unlikely to reach him there, an address to which the Registrar is able to send to the practitioner written communications relating to the application;

(c) the name and address of—

- (i) any person, body or organisation by whom the practitioner is employed to provide cosmetic treatments or services, and
 - (ii) any person, body or organisation with whom the practitioner has an arrangement to provide cosmetic treatments or services;
- (d) where paragraph (c) does not apply and save where the practitioner provides a statement under sub-paragraph (f), the name and address of the person, body or organisation which most recently employed the practitioner to provide cosmetic treatments or services or with whom they most recently had an arrangement to do so;
- (e) a statement by—
- (i) the practitioner,
- which—
- (aa) states that the person making it is not aware of any proceedings, act or omission on the part of the practitioner which might render him liable to be referred to the Council for investigation or consideration of his fitness to practise, or
 - (bb) gives particulars of any proceedings, act or omission on the part of the practitioner which might render him so liable; and
- (f) where the practitioner has not been employed or had an arrangement to provide cosmetic services or treatments at any time during the period of 5 years ending with the date of the erasure application, a statement confirming that this is the case.

3 On receipt of an erasure application, the Registrar shall, as soon as is reasonably practicable—

- (a) erase the practitioner's name from the register;
- (b) refer the application to two Case Examiners, one registrant and one lay under paragraph (3.4) for determination in accordance with paragraphs (3.5) to (3.7) below;
- (c) where the application does not comply with paragraph (3.2), reject the application.

4 The Registrar shall refer an erasure application to a Registrant and a Lay Case Examiner for determination where any of the following apply—

- (a) the Registrar receives information (including any information provided in accordance with paragraph (3.2), that the practitioner is subject to any proceedings or has committed any act or omission that might render him liable to be referred to the Council for investigation or consideration of his fitness to practise;
- (b) an allegation against the practitioner is being investigated in order to decide whether it should be referred to a Fitness to Practise Hearing Panel pursuant to the Fitness to Practise Rules;
- (c) an allegation against the practitioner has been referred to a Fitness to Practise Hearing Panel.

5 Upon consideration of an erasure application referred pursuant to paragraph (3.4), the Case Examiners may unanimously—

- (a) grant the application, and notify the Registrar who shall erase the practitioner's name from the register accordingly; or

(b) reject the application.

6 If the Case Examiners fail to agree as to the disposal of an erasure application under paragraph (3.5), the Registrar shall refer the application for determination by the Investigation Panel Pursuant to Rule 29 of the Fitness to Practise Rules, and the Investigation Panel shall determine the application as soon as is reasonably practicable.

7 Upon consideration of an erasure application, the Investigation Panel may—

(a) grant the application, and notify the Registrar who shall erase the practitioner's name from the register accordingly; or

(b) reject the application.

8 Where, on the date the Registrar receives an erasure application, an allegation against the practitioner has been referred to the Fitness to Practice Hearing Panel under the Fitness to Practise Rules and the hearing before the Fitness to Practise Hearing Panel has commenced, the Registrar shall refer the application to be determined by the Fitness to Practise Hearing Panel appointed to consider the complaint under the Fitness to Practise Rules.

9 Where an erasure application is referred to Case Examiners, an Investigation Panel or a Fitness to Practice Hearing Panel pursuant to paragraphs 3.5, 3.7 or 3.8, and the Case Examiners or Panel consider it is necessary in order to determine the erasure application to obtain medical advice regarding issues relevant to a Registrant's Fitness to Practice, they can instruct a Medial Advisor to provide advice. Any advice obtained by the Council shall be disclosed to the Registrant.

10 Where an application for voluntary erasure is received from a Registrant who is the subject of a current disciplinary process the JCCP will advise the Registrant that the Council will finish any existing disciplinary process and publish outcomes as it would for current registrants.

11 The Registrar shall notify the applicant as soon as is reasonably practicable whether his application—

(a) has been granted and his name has been erased from the register; or

(b) has not been granted,

together with the reasons for that decision.

Restoration applications

4.

1 A person whose name has been erased from the register pursuant to an application for voluntary erasure may apply in writing to the Registrar for his name to be restored to the register.

2 A restoration application shall be treated in the same way as an original application to join the register. The applicant if refused will be entitled to have his application considered by the Admissions and Restoration Panel pursuant to Rule 57 of the Fitness to Practice Rules. When considering an application for restoration to the Register the Council and any admissions a restoration panel will be entitled to take into account:

(a) the contents of the application for voluntary erasure made pursuant to paragraph 3.2 above;

(b) the contents of any decision to grant voluntary erasure made by the case examiners pursuant to paragraph 3.5 above;

(c) the contents of any decision to grant voluntary erasure made by the Investigation Panel pursuant to paragraph 3.7 above;

- (d) the contents of any decision to grant voluntary erasure made by the Fitness to Practise Hearing Panel pursuant to paragraph 3.8 above.