

# CHAPTER 241 PHARMACY ACT

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• Act • Subsidiary Legislation •

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## ACT

Act No. 25 of 1987

### Amended by

Act No. 52 of 1991

Act No. 43 of 1992

Act No. 12 of 1995

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**CHAPTER 241**  
**PHARMACY ACT**

**An Act to provide for the establishment of the Pharmacy Council, to regulate the registration and practice of pharmacists, and for connected matters.**

[Act No. 25 of 1987 amended by Act No. 52 of 1991, Act No. 43 of 1992, Act No. 12 of 1995.]

[1st December, 1988.]

**1. Short title**

This Act may be cited as the Pharmacy Act.

**2. Interpretation**

In this Act—

“authorised seller of poisons” means a person appointed and registered as such in pursuance of regulations made under section 27(1)(d);

“Council” means the Pharmacy Council established under section 3;

“dentist” means a person registered in the Dental Register under the Medical Practitioners, Dentists and Veterinary Surgeons Registration Act, Chapter 189;

“dispense” means the supplying of—

- (a) drugs on and in accordance with a prescription given by a medical practitioner, a dentist or a veterinary surgeon; or
- (b) the special drugs authorised by the Minister of Health to be prescribed by a registered family nurse practitioner;

“drug” means any substance or mixture of substances manufactured, sold, represented for use, or used in—

- (a) the diagnosis, treatment, alleviation or prevention of any disease, disorder, abnormal physical or mental state, or the symptoms thereof in human, animal or other biologically active species;
- (b) the restoration, correction or modification of organic functions in human, animal or other biologically active species;
- (c) the disinfection of premises where food is manufactured, prepared or stored, or the disinfection of water, air or equipment; and any substance or mixture of substances in common use when used or intended to be used as a drug;

“inspector” means a pharmacist appointed under section 26 to be an inspector;

“medical practitioner” means a person registered in the Medical Register under the Medical Practitioners, Dentists and Veterinary Surgeons Registration Act, Chapter 189;

“midwife” means a person registered in the register of certified midwives pursuant to the Midwives Act, Chapter 194;

“Minister” means the Minister responsible for health;

“nurse” means a person registered in the register of nurses pursuant to the Nurses Registration Act, Chapter 214;

“pharmacist” means a person whose name appears in the Register of Pharmacists;

“pharmacy” means the business of a pharmacist and, where the context so admits, any premises where drugs, medicines, chemical substances and poisons are stored, compounded, dispensed, or sold or distributed by retail;

“poison” means any substance, whether a drug or not, that is dangerous to the health or life of any human or animal or other living thing and is specified as a poison by regulations made under section 27(1)(c);

“practice” means the performance of any function in the capacity of a pharmacist;

“Registrar” means the Registrar appointed under section 3 of the Medical Practitioners, Dentists and Veterinary Surgeons Registration Act, Chapter 189;

“secretary” means the person for the time being performing the functions of secretary of the Council;

“veterinary surgeon” means a person registered in the Veterinary Surgeons Register under the Medical Practitioners, Dentists and Veterinary Surgeons Registration Act, Chapter 189.

### **3. Establishment of the Pharmacy Council**

There is established a body called the Pharmacy Council which shall comprise the following members—

- (a) the Chief Medical Officer;
- (b) the Chief Pharmacist;
- (c) one medical practitioner appointed by the Minister after consultation with the Grenada Medical Association;
- (d) one medical practitioners appointed by the Minister in his or her discretion;
- (da) one attorney-at-law admitted to practise in Grenada appointed by the Minister;
- (e) two pharmacists appointed by the Minister after consultation with the Pharmaceutical Association;
- (f) one pharmacist appointed by the Minister after consultation with the Grenada Chamber of Industry and Commerce; and
- (g) one agricultural officer appointed by the Minister after consultation with the Minister responsible for agriculture.

### **4. Procedure, etc., of the Council**

(1) The Council may appoint such committees of its members as it thinks fit for the proper discharge of its functions, and may include therein persons who are not members of the Council and may delegate to a committee such functions as it considers necessary.

(2) Members of the Council shall hold office for a term of two years but shall be eligible for re-appointment.

(3) The Council shall elect from among its members a chairperson for a term of two years.

(4) In the absence of the chairperson from a meeting of the Council, the members present shall elect one of their number to preside at the meeting.

(5) Five members of the Council shall constitute a quorum for the transaction of business.

(6) The Council shall be responsible for making such other rules of procedure as it considers necessary for the transaction of business.

(7) The funds of the Council shall consist of such grants as may, from time to time, be made to it for the purposes of this Act.

(8) The Council shall in each year prepare and submit to the Minister, on or before the thirty-first day of March, a report of its proceedings during the twelve months ending on the thirty-first day of December in the preceding year.

(9) The Council shall, on or before the thirty-first day of October in each year, submit to the Minister for approval its estimates of revenue and expenditure in respect of the period commencing on the first day of January next and ending on the thirty-first day of December following.

(10) Members of the Council are entitled to such remuneration or allowances as the Minister of Finance, by Order, provides.

(11) The Chief Pharmacist shall, in addition to his or her other duties under this Act, perform the duties of secretary of the Council.

## **5. Functions of the Council**

The functions of the Council shall be—

- (a) to decide matters relating to the registration of pharmacists;
- (b) to ensure the maintenance of high standards of practice and conduct of pharmacists;
- (ba) to set standards for the education and training of pharmacists;
- (c) to decide matters relating to the appointment and registration of persons as authorised sellers of poisons, in accordance with the regulations;
- (d) to make recommendations to the Minister with a view to achieving compliance with the requirements of this Act;
- (e) to decide matters relating to the registration of pharmacies;
- (f) to decide matters relating to the making of regulations under section 27;
- (g) to perform the duties that it is required by this Act to perform.

## **6. Register of Pharmacists**

(1) The Registrar shall keep and maintain a register to be known as the Register of Pharmacists in which shall be entered the names and such particulars as may be prescribed of pharmacists registered under the provisions of this Act.

(2) The Register shall be available for inspection by members of the public at all reasonable times and a copy of the Register of Pharmacists shall be published in the *Gazette* by the Registrar at such times as may be prescribed.

## **7. Pharmacists to be registered**

(1) No person shall engage in the practice of pharmacy unless he or she is registered as a pharmacist under this Act.

(2) If a person—

- (a) satisfies the Council that he or she—
  - (i) possesses the prescribed qualifications,
  - (ii) has attained the age of twenty-one years, and
  - (iii) is of good character;

- (b) makes application for registration to the Council in the manner approved by the Council; and
- (c) pays the registration fee prescribed,

he or she shall be entitled to be registered as a pharmacist.

(3) A registered pharmacist desiring to remain registered shall pay annually such fee for the renewal of his or her registration as is prescribed.

## **8. Certificates of registration to be displayed**

No person shall carry on the business of a pharmacy unless there is conspicuously displayed on the premises—

- (a) a certificate of registration of the premises issued under section 16; and
- (b) a current certificate of registration of the pharmacist in charge of the pharmacy.

## **9. Disciplinary proceedings**

(1) The Council may take disciplinary action against a pharmacist who has been convicted of an offence under this Act or has been guilty of professional misconduct.

(2) Professional misconduct is the wilful performance of an act, or the wilful omission to do an act, that is considered by the Council to be an act or, as the case may be, an omission inconsistent with the professional ethics and standards of competence reasonably to be expected of a pharmacist.

(3) Proceedings for the purposes of subsection (1) shall be instituted in the name “The Secretary of the Council”.

## **10. Consequences of disciplinary proceedings**

(1) Where the Council, at the conclusion of disciplinary proceedings, is satisfied that a person has committed an act of professional misconduct or been convicted of an offence under this Act, it may—

- (a) censure him or her;
- (b) suspend his or her registration for a period not exceeding two years; or
- (c) in writing direct the Registrar to remove his or her name from the Register of Pharmacists.

(2) If the Council thinks fit, it may, in writing, direct the Registrar to restore to the Register a name that has been removed therefrom under this section or section 12 or 14.

(3) The Council may, in writing, direct a pharmacist whose name has been removed from the Register to return to the Registrar the certificate of his or her registration; and the pharmacist shall comply with the direction.

## **11. Publication of notice of suspension, etc., in the *Gazette***

The Registrar, as soon as possible after—

- (a) the suspension of the registration of a pharmacist;
- (b) the removal of a name from the Register; or
- (c) the restoration of a name to the Register,

shall publish a notice of the suspension, removal or restoration in the *Gazette*.

## **12. Power to remove name from Register on account of disability**

The Council may, in writing, direct the Registrar to remove from the Register of Pharmacists the name of a pharmacist that the Council finds, upon enquiry, to be suffering from a physical or mental disability such as to render him or her unfit to practise; and the Registrar shall comply with the direction.

### **13. Correction of entries in Register**

The Council, on receiving an application in writing for the making of an alteration to an entry in the Register of Pharmacists, and on being satisfied that the entry—

- (a) was incorrect at the time it was made; or
- (b) has become incorrect by reason of any circumstance that has arisen subsequent to the making of the entry,

may, in writing, direct the Registrar to make the necessary correction.

### **14. Procedure after non-payment of annual registration fee by due date**

If a registered pharmacist has not paid the annual registration fee by the 31st March in any year—

- (a) the Registrar shall send to him or her, by registered post, a letter—
  - (i) reminding him or her that he or she has not paid the registration renewal fee,
  - (ii) enquiring whether he or she has ceased to practice as a pharmacist, or changed his or her address, and
  - (iii) requesting a reply before the expiry of a period of one month from the date of posting;
- (b) if no reply is received before the expiry of that period, the Registrar shall, as soon as possible thereafter, send a further letter by registered post requesting a reply forthwith;
- (c) if no reply is received within a period of one month from date of posting of the further letter, the Registrar shall inform the Council, and the Council may thereupon direct the Registrar to remove the name of the pharmacist from the Register.

### **15. Appeals to Judge in Chambers**

(1) A person aggrieved by the decision of the Council—

- (a) to refuse registration in his or her case;
- (b)
  - (i) to censure him or her,
  - (ii) to suspend his or her registration, or
  - (iii) to remove his or her name from the Register of Pharmacists;
- (c) to reject his or her application for the issue of a certificate under section 16(2); or
- (d) to cancel or suspend such a certificate in his or her case,

may, within three months from the date of the decision appeal to a Judge in Chambers who may grant such relief as he or she thinks fit, and his or her decision is final.

(2) Notwithstanding the right of appeal granted under subsection (1), a decision of the Council continues to have effect until it is altered, amended or set aside by a Judge in Chambers.

(3) A person desiring to appeal shall, by letter addressed to the Registrar of the Supreme Court, specify the grounds and reasons for his or her appeal against the decision

of the Council, and give particulars of the redress he or she is seeking. The Registrar of the Supreme Court shall refer the letter of the appellant to the Judge who will decide on a date for the hearing.

(4) The secretary of the Council or the appellant, or both, may appear in person and may be represented at the hearing before the Judge.

(5) Subject to the provisions of this section, the Judge may regulate the procedure for hearing the appeal.

## **16. Certification of premises**

(1) No person shall, whether on his or her own behalf or on behalf of another person or persons, carry on in any premises a business which includes the compounding, dispensing, storing for sale or selling, either by wholesale or retail, of drugs on any premises unless—

- (a) the Council has issued under subsection (2) a certificate in respect of the suitability of the premises as a pharmacy;
- (b) the premises have been registered as a pharmacy; and
- (c) the pharmacy operated on the premises is under the immediate control, management and supervision of a pharmacist.

(2) A certificate for the purposes of subsection (1)(a) shall be issued by the secretary upon application made to the Council in a manner approved by the Minister and payment of the prescribed fee.

(3) An application under subsection (2) shall contain such particulars, if any, respecting the premises as the Council may require.

(4) A certificate issued under subsection (2) is not transferable.

## **17. Registration of premises**

(1) Registration of premises as a pharmacy for the purpose of section 16(1)(b) shall be effected by the Registrar on receipt of the prescribed fee accompanied by a certificate issued under section 16(2) in respect of the premises.

(2) The Registrar, if satisfied of the correctness of the certificate presented to him or her under subsection (1), shall enter in a register to be maintained by him or her, called the “Register of Pharmacies”, the address and description of the premises.

## **18. Duration of certificate**

A certificate issued under section 16(2) is valid until the 31st day of December of the year of issue and may be renewed during the month of January in each year for a further period of one year if the Council is satisfied that the premises are suitable for the purposes of a pharmacy.

## **19. Cancellation or suspension of certificate**

(1) The Council may cancel or suspend a certificate issued under section 16(2) if—

- (a) a pharmacy is no longer operated on the premises to which the certificate relates; or
- (b) the pharmacy operated on the premises is such, or any fixture or cupboard therein is in such disrepair or in such insanitary condition, that, in the opinion of the Council, any requirement of this Act is not being, or is not likely to be, complied with.

(2) Where a pharmacy is no longer operated on premises, the holder of the certificate under section 16(2) relating to the premises shall, within seven days from the cessation of operations, deliver up the certificate to the Council for cancellation.

(3) The Council shall, before cancelling or suspending a certificate under subsection (1)(b), serve a notice in writing on the holder of the certificate requiring him or her to effect specified repairs or improvements within a specified period.

(4) If any repairs or improvements specified in a notice under subsection (3) are not effected within the period specified therein or within such extended time as the Council may allow the Council, after holding an enquiry at which the holder of the certificate is given an opportunity to be heard, may cancel or suspend the certificate if it thinks fit.

(5) A certificate that has been cancelled or suspended pursuant to subsection (4) shall, after the cancellation or suspension, be delivered up by the holder to the Council without delay, and the Council shall direct the Registrar to remove the entry relating to those premises from the Register of Pharmacies; and the Registrar shall comply with the direction.

## **20. Publication of specified drugs and poisons**

The Council shall as soon as may be after 30th June, 1995, and from time to time thereafter as the Council sees fit, publish in the *Gazette* a notice in four parts—

- (a) Part I should include the drugs in relation to the storing for sale and retailing of which the Council intends the exemptions made by sections 16(1)(a) and 22(a)(i), (ii) and (iii) to apply;
- (b) Part II shall include the drugs in relation to the storing for sale and retailing of which the Council intends the exemption made by section 22(b) to apply;
- (c) Part III shall include all poisons;
- (d) Part IV shall include all drugs which any regulations made under the Food and Drug Act, Chapter 110, prohibit from being retailed except on and in accordance with a prescription from a registered medical practitioner or a registered dentist or a registered veterinary surgeon or a registered family nurse practitioner.

## **21. Requirements in connection with sales of poison**

(1) No person shall carry on a business that includes the selling by retail of a poison unless the business—

- (a) is carried on in a registered pharmacy; or
- (b) is operated by a person registered as an authorised seller of poisons.

(2) Registration as an authorised seller of poisons is obtainable by making application to the Council in a manner approved by the Minister and payment of the prescribed fee. The Council may grant or refuse the application.

(3) Every person whose business includes the selling of poison by retail shall keep all poison—

- (a) in a suitable container—
  - (i) distinctly labelled with the name of the poison,
  - (ii) bearing a distinctive mark, in red, that it is poison;
- (b) in an area or cupboard set apart exclusively for the keeping of poisons, and such area or cupboard shall be kept locked.



(4) No person shall sell, dispense or deliver poison to any other person unless the container in which the poison is sold, dispensed or delivered is distinctly labelled in the prescribed manner with—

- (a) the word “POISON”;
- (b) the name of the poison; and
- (c) the name of the seller of the poison, and the address of the premises at which it is sold.

## **22. Sale, etc., of drugs**

(1) No person shall compound, dispense, or sell by wholesale or retail, any drug unless—

- (a) the compounding, dispensing or selling is effected—
  - (i) on premises registered under section 17,
  - (ii) by a registered pharmacist, or
  - (iii) by a medical practitioner, a dentist or a veterinary surgeon registered in accordance with the provisions of the Medical Practitioners, Dentists and Veterinary Surgeons Registration Act, Chapter 189;
- (b) in the case of selling by wholesale, the sale is effected by or under the control or supervision of a pharmacist;
- (c) where the drug that is being compounded, dispensed or sold is a poison, section 21(4) is complied with; and
- (d) all prescribed requirements, if any, have been complied with.

(2) Prescriptions from a registered family nurse practitioner shall be dispensed only at a Government Dispensary.

## **23. Exemptions for certain premises**

(1) Sections 8(a) and 22 shall not apply to premises maintained exclusively for storage of drugs specified in the list referred to in section 20.

(2) Nothing in section 21 or 22 shall be construed as—

- (a) applying to a drug—
  - (i) administered or supplied by a medical practitioner to his or her patient; or dispensed by a medical practitioner, dental practitioner or veterinary practitioner to his or her patient in accordance with and subject to subsection (3),
  - (ii) administered or supplied by a medical practitioner, dental practitioner or veterinary practitioner for the purpose of medical, dental or veterinary treatment as the case may be,
  - (iii) administered by a midwife or nurse to a patient under the care of that midwife or nurse,
  - (iv) administered or supplied by a veterinary practitioner to any animal or fowl under his or her care;
- (b) applying to the sale of a drug—
  - (i) to a medical practitioner, dental practitioner or veterinary practitioner for the purpose of his or her profession,
  - (ii) to, or for use in connection with, any hospital, or

- (iii) to a pharmacist for the purpose of a pharmacy, or to a commission agent employing a pharmacist.

(3) Notwithstanding any provisions in any law contained, a medical practitioner, dental practitioner or veterinary practitioner, may in such special circumstances as emergencies dispense to his or her patient such a supply of prescription drugs that, if utilised as directed by the medical practitioner, dental practitioner or veterinary practitioner will not exceed a period of forty-eight hours; unless the medical practitioner, dental practitioner or veterinary practitioner considers that special circumstances require that a supply for a longer period be hereby dispensed. In any event, where a medical practitioner, dental practitioner or veterinary practitioner dispenses any prescription drug of any amount under this subsection, he or she shall keep and maintain records of any prescription drug so dispensed on a record form supplied for the purpose by the Council for periodic inspection by an inspector.

(4) Notwithstanding any provisions in any law contained, a nurse or midwife acting under the immediate and detailed direction of a medical practitioner, or a nurse or a dental auxiliary or a dental assistant acting under the immediate and detailed direction of a dental practitioner or a veterinary assistant acting under the immediate and detailed direction of a veterinary practitioner may dispense to a patient of the medical practitioner, dental practitioner or veterinary practitioner respectively such a supply of prescription drugs that, if utilised as directed by the medical practitioner, dental practitioner or veterinary practitioner will not exceed a period of forty-eight hours; unless the medical practitioner, dental practitioner or veterinary practitioner considers that special circumstances require that a supply for a longer period be hereby dispensed. In any event, where a nurse, midwife, dental auxiliary, dental assistance or veterinary assistance dispenses any prescription drug of any amount under this subsection, that nurse, midwife, dental auxiliary, dental assistant or veterinary assistant shall keep and maintain records of any prescription drug so dispensed on a record form supplied for the purpose by the Council for periodic inspection by an Inspector.

#### **24. Restriction on opening of pharmacy**

A person who operates a pharmacy shall not permit the dispensing section thereof to be opened unless—

- (a) a pharmacist is in charge thereof and in actual attendance therein; or
- (b) in the dispensing section, all drugs required by this Act to be compounded, dispensed, stored for sale or sold by retail under the supervision of a pharmacist, are in a cupboard or other place that is secure from public access.

#### **24A. Pharmacist shall not dispense prescription drug without prescription or instructions from practitioner**

(1) No pharmacist shall dispense a prescription drug except on the authority of and in accordance with—

- (a) a written prescription from a medical practitioner, dental practitioner or veterinary practitioner; or
- (b) verbal instructions from a medical practitioner, dental practitioner or veterinary practitioner.

(2) Where a medical practitioner, dental practitioner or veterinary practitioner issues verbal instructions to a pharmacist to dispense a prescription drug, and a pharmacist does dispense that drug, he or she shall immediately make a written record thereof on a record form supplied for the purpose by the Council for periodic inspection by an Inspector; and the medical practitioner, dental practitioner or veterinary practitioner shall within forty-

eight hours of issuing such instructions reduce same to writing and send a copy thereof to the pharmacist which copy the latter shall keep for periodic inspection by an Inspector.

(3) Every pharmacist shall keep and maintain records of any prescription drug dispensed by him or her on a record form supplied for the purpose by the Council for periodic inspection by an Inspector.

#### **24B. Stock books**

Whoever may dispense prescription drugs under this Act shall keep books showing what qualities and varieties of such drugs he or she procures on a monthly basis, herein referred to as stock books, which shall be in a form supplied for the purpose by the Council, and he or she shall keep these stock books for periodic inspection by an Inspector.

#### **24C. Record forms generally**

Without prejudice to any other provision of this Act, whoever may dispense prescription drugs under this Act shall, whenever he or she dispenses such drugs, record their qualities and varieties on a record form supplied for the purpose by the Council for the periodic inspection by an Inspector.

#### **25. Use of titles forbidden unless registered**

(1) No person shall use any of the following titles—

- (a) pharmacist;
- (b) druggist;
- (c) pharmacist;
- (d) pharmaceutical chemist;
- (e) dispenser; or
- (f) authorised seller of poisons,

unless registered as a pharmacist or, as the case may be, as an authorised seller of poisons.

(2) No person, unless he or she is a registered pharmacist, shall display on any premises a sign, emblem or representation that includes the words “drug store”, “dispensary”, or “pharmacy”, or any other sign, emblem or representation that implies or from which the public may reasonably infer that those premises are registered as a pharmacy.

#### **26. Inspectors, their powers, etc.**

(1) The Public Service Commission shall appoint such number of pharmacists as may be necessary as inspectors for the purpose of enforcing the provisions of this Act.

(2) An inspector may enter premises if—

- (a) an application for registration under this Act has been made in respect thereof;
- (b) a pharmacy is being operated therein;
- (c) drugs or poisons are being sold therein; or
- (d) he or she has cause to suspect that any provision of this Act is being contravened therein,

and may make such examination and enquiry (including the taking of samples) as may be necessary therein to ascertain whether this Act is being complied with. Without prejudice to the generality of the foregoing, he or she may examine all stock books required to be kept by any person who may dispense prescription drugs and may check such stock books against all record forms required to be kept by that person regarding the prescription drugs dispensed by that person.

(3) The Minister shall cause to be issued to every inspector a certificate of identity in such form as the Minister approves, which shall be signed by the chairperson of the Council, and an inspector shall produce his or her certificate of identification before entering premises for the purposes of subsection (2) if requested to do so by the occupier.

(4) An occupier of premises shall give to an inspector entering the premises such assistance or information within his or her power as may be necessary.

(5) Nothing in this section shall prevent an inspector from entering and inspecting the premises of a medical practitioner, dentist or veterinary surgeon, or any other premises in which he or she has reason to believe that the dispensing or distribution of drugs is being carried out.

(6) Notwithstanding any provision contained in this Act or any other law, the Council may as it sees fit require more than one Inspector to carry out an inspection at the same time or at different times.

## **27. Power of the Council to make regulations**

(1) The Council may, with the approval of the Minister, make regulations—

- (a) governing the manner in which disciplinary proceedings or enquiries are to be instituted and conducted;
- (b) prescribing the qualifications required for registration as a pharmacist;
- (c) specifying the substances that are poisons for the purposes of this Act;
- (d) providing for the appointment and registration of authorised sellers of poisons;
- (e) regulating the import of pharmaceuticals;
- (f) respecting—
  - (i) the compounding, dispensing, labelling, storing, packaging, and sale of drugs and poisons,
  - (ii) the containers in which poisons are to be stored, sold or supplied,
  - (iii) the addition of specified ingredients to poisons for the purpose of rendering them readily distinguishable as poisons;
- (g) providing, in respect of sellers of poisons, for the keeping and examination of books and records and for the making of reports;
- (h) prescribing places, other than pharmacies, where poisons may be stored for sale or may be sold by retail, and imposing restrictions and requirements in connection therewith;
- (i) prescribing anything that is authorised or required by this Act to be prescribed.

(2) For the purposes of subsection (1)(f), different provisions may be made in respect of different drugs or different poisons.

## **28. Evidence by certificate of examination or analysis of sample**

(1) Subject to subsection (2), a certificate signed by an inspector, or by an analyst acting in the performance of functions under a law concerning public health, stating that he or she has examined or analysed a sample taken pursuant to section 26(2) and stating the result of the examination or analysis, is *prima facie* evidence of the contents of the certificate including the signature and the authenticity of the qualifications of the author thereof.

(2) A certificate of an inspector or analyst is not admissible in evidence unless the person who took the sample—

- (a) divided the sample into two parts and gave one part of it to the person from whom it was taken; and
- (b) not less than two weeks before the trial—
  - (i) gave notice in writing, to the person from whom the sample was taken, of his or her intention to produce the certificate in evidence, and
  - (ii) served on that person a copy of the certificate.

## 29. Offences and general penalty

A person who—

- (a) assaults or obstructs an inspector in the performance of his or her duties under this Act;
- (b) by the offer of any gratuity or bribe, or by other inducement, prevents or attempts to prevent an inspector from performing his or her duties under this Act;
- (c) knowingly gives to an inspector false information, or information that is likely to mislead the inspector in the performance of his or her duties under this Act;
- (d) with intent to deceive—
  - (i) *Repealed*,
  - (ii) allows a certificate that has been issued to him or her under this Act to be used by another person,
  - (iii) lends to another person a certificate that has been issued to him or her under this Act;
- (e) being a person upon whom powers have been conferred by this Act or the regulations, accepts a bribe in connection with any matter concerning the exercise of those powers; or
- (f) contravenes a provision of this Act or the regulations, is guilty of an offence and liable, on summary conviction, to a fine of two thousand five hundred dollars and to imprisonment for twelve months.

## 30. Indemnity

Nothing done by the Council or by the secretary or a member of the Council or any person acting under the authority of the Council, if such thing is done *bona fide* for the purposes of this Act, shall give rise to any action, claim or liability whatsoever.

## 31. Expenditure

Expenditure incurred in the administration of this Act shall be defrayed out of monies voted by Parliament for the purpose.

### 32. Saving of other Acts

Nothing in sections 20 to 24 of this Act shall be construed as interfering with or affecting the liability of any person who sells drugs or poisons in contravention of section 25 of the Licences Act, Chapter 172, or the provisions of the Poison Sales Act, Chapter 243.

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## CHAPTER 241 PHARMACY ACT

### SUBSIDIARY LEGISLATION

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#### *List of Subsidiary Legislation*

1. Pharmacy (Fees) Regulations
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#### **Pharmacy (Fees) Regulations**

SRO 2 of 1989

#### **Amended by**

SRO 3 of 1989

SRO 45 of 2006

#### ARRANGEMENT OF REGULATIONS

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#### **PHARMACY (FEES) REGULATIONS**

[Section 27. SRO 2 of 1989 amended by SRO 3 of 1989, SRO 45 of 2006.]

[3rd February, 1989.]

#### **1. Citation**

These Regulations may be cited as the Pharmacy (Fees) Regulations.

#### **2. Definition**

In these Regulations, “annual” means the period 1st January to 31st December or part thereof.

#### **3. Fees**

The fees specified in the Schedule hereto shall be paid by Pharmacists for the purposes mentioned therein.

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**Schedule**

PHARMACY ACT

PHARMACY (FEES) REGULATIONS

*Fees*

[Regulation 3.]

Pharmacist Registration Fee .....	\$150.00
Pharmacist Annual Fees .....	\$100.00
Pharmacist/Premises Annual Registration Fee .....	\$150.00
Wholesaler Distributor of Pharmaceuticals Annual Registration Fee .....	\$200.00

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