

- (c) in subsection (2) by inserting the words “or wholesale pharmaceutical business” after the words “operating any pharmacy”.

**10. Amendment of section 15 – Cancellation and suspension of licence**

The principal Act is amended in section 15—

- (a) in subsection (1) paragraph (a) by inserting the words “or a wholesale pharmaceutical business” after the word “pharmacy”; and
- (b) in subsection (2) by inserting the words “or a wholesale pharmaceutical business” after the word “pharmacy”;

**11. Amendment of section 16 – Constitution and function of Board of Inspectors**

The principal Act is amended in section 16—

- (a) in subsection (2) paragraph (b) by inserting the words “or a wholesale pharmaceutical business” after the word “pharmacy”;
- (b) in subsection (10) by—
- (i) inserting the words “or Register of Wholesale Pharmaceutical Businesses” after the words “Register of Pharmacies”; and
- (ii) inserting the words “or a wholesale pharmaceutical business whichever is applicable” after the word “pharmacy”; and
- (c) in subsection (11) paragraph (b) by—
- (i) inserting the words “or a wholesale pharmaceutical business” after the word “pharmacy”; and
- (ii) inserting the words “or Register of Wholesale Pharmaceutical Businesses whichever is applicable” after the words “Register of Pharmacies”.

**12. Amendment of section 17 – Appeals**

The principal Act is amended in section 17—

- (a) in subsection (1) paragraph (c) by inserting the words “or to remove the name of his business from the Register of Wholesale Pharmaceutical Businesses” after the words “Register of Pharmacies”; and



**THE PHARMACY (AMENDMENT) ACT, 2011**

**No. 9 of 2011**

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- (a) in subsection (1) by—
  - (i) inserting the words “or a wholesale pharmaceutical business” after the words “operate a pharmacy”;
  - (ii) repealing the word “ has” after the words “such premises” and substituting the word “have”; and
  - (iii) inserting the words “or a wholesale pharmaceutical business” after the words “operating a pharmacy”;
- (b) in subsection (2) by inserting the words “or a wholesale pharmaceutical business” after the words “operate a pharmacy”; and
- (c) in subsection (3) by—
  - (i) inserting the words “to a pharmacy or a wholesale pharmaceutical business” after the words “grant a licence”; and
  - (ii) repealing the words “such a” after the word “unless” and substituting the word “the”; and
  - (iii) inserting the words “or a wholesale pharmaceutical business” before the words “has in its employ”.

**8. Amendment of section 13 – Registration of licensed premises**

The principal Act is amended in section 13—

- (a) in subsection (1) by inserting the words “or a wholesale pharmaceutical business” after the words “for use as a pharmacy”; and
- (b) in subsection (1) paragraph (a) by inserting the words “or Register of Wholesale Pharmaceutical Businesses, whichever is applicable “ after the words “Register of Pharmacies”;

**9. Amendment of section 14 – Prohibition of unlicensed premises as pharmacy**

The principal Act is amended in section 14—

- (a) in the heading by inserting the words “or wholesale pharmaceutical business” after the word “pharmacy”;
- (b) in subsection (1) by inserting the words “or a wholesale pharmaceutical business” after the words “operate a pharmacy”; and

“Minister” means the Minister with responsibility for the regulation and control of the practice of pharmacy and the importation, sale, distribution and supply of drugs and poisons;”;

- (c) by repealing the word “.” after the definition of “Veterinary Surgeon” and substituting the words “; and”; and
- (d) by inserting the words “wholesale pharmaceutical business” means a business engaged in the importation, purchase or supply of drugs or poisons for retail.” after the definition of “Veterinary Surgeon”.

#### **4. Amendment of section 3 – Establishment of Council**

The principal Act is amended in section 3 by repealing the term “Chief Pharmacist” and substituting the term “Director of Pharmacy”.

#### **5. Amendment of section 4 – Functions of the council**

The principal Act is amended in section 4—

- (a) subsection (1) paragraph (b) by inserting the words “or pharmacy technicians” after the word “pharmacists”;
- (b) subsection (1) paragraph (e) by inserting the words “, wholesale pharmaceutical business” after the word “manufacturers”;
- (c) by repealing subsection (2); and
- (d) by renumbering subsection (3) as subsection (2).

#### **6. Amendment of section 6 – Appointment of Registrar**

The principal Act is amended in section 6 by

- (a) repealing the word “.” at the end of paragraph (b) and substituting the words “, and”; and
- (b) inserting the following after subsection (3) paragraph (b)—

“(c) a “Register of Wholesale Pharmaceutical Businesses” in which shall be recorded the business names and addresses of businesses for which the premises have been licensed under this Act.”.

#### **7. Amendment of section 12 – Procedure for licensing premises**

The principal Act is amended in section 12—

## **THE PHARMACY (AMENDMENT) ACT, 2011**

### **ARRANGEMENT**

#### **Sections**

1. Short title.
2. Interpretation
3. Amendment of section 2 - Interpretation
4. Amendment of section 3 – Establishment of Council
5. Amendment of section 4 – Functions of the council
6. Amendment of section 6 – Appointment of Registrar
7. Amendment of section 12 – Procedure for licensing premises
8. Amendment of section 13 – Registration of licensed premises
9. Amendment of section 14 – Prohibition of unlicensed premises as pharmacy
10. Amendment of section 15 – Cancellation and suspension of licence
11. Amendment of section 16 – Constitution and function of Board of Inspectors
12. Amendment of section 17 – Appeals
13. Amendment of section 18 – Sale of drugs
14. Amendment of section 21 – Exemptions
15. Amendment of section 23 – Use of titles
16. Amendment of section 28 – Regulations
17. Amendment of the Schedule

[ L.S.]



I Assent,

**Louise Lake -Tack,**  
*Governor-General.*

3rd June, 2011.

**ANTIGUA AND BARBUDA**

**THE PHARMACY (AMENDMENT) ACT, 2011**

**No. 9 of 2011**

**ANACT** to amend the Pharmacy Act, 1995 No. 11 of 1995 and for incidental and connected purposes.

**ENACTED** by the Parliament of Antigua and Barbuda as follows:

**1. Short title**

This Act may be cited as the Pharmacy (Amendment) Act, 2010.

**2. Interpretation**

In this Act “the principal Act” means the Pharmacy Act, 1995 No. 11 of 1995.

**3. Amendment of section 2 - Interpretation**

The principle Act is amended in section 2—

- (a) by repealing “medical practitioner” and the definition of this term and substituting the following—

““medical practitioner” means a person who is registered under Part III of the Medical Practitioners Act, 2009;”;

- (b) by inserting the following before the definition of the word “pharmacy”—

(b) in paragraph (a) by repealing the words “the qualifications necessary for registration as pharmacists” and substituting the following—

“—

(i) the qualifications necessary for registration as a pharmacist, pharmacy technician or pharmacy student; and

(ii) the requirements necessary for licensing premises, pharmacies and wholesale pharmaceutical businesses;”

(c) by inserting after paragraph (n) the following—

“(2) The Minister may by Order published in the *Gazette*, delegate the authority to issue licences or certificates under the Act to the Council and the Order may specify a period for the duration of the delegation”.

### 17. Amendment of the Schedule

The principal Act is amended in the Schedule in paragraph (8) by repealing the term “Chief Pharmacist” and substituting the term “Director of Pharmacy”.

Passed by the House of Representatives on the 31st day of March, 2011.

**D. Gisele Isaac-Arrindell,**  
*Speaker.*

**Romona Small,**  
*Clerk to the House of Representatives.(Ag.)*

Passed by the Senate on the 18th day of April, 2011.

**Hazlyn M. Francis,**  
*President.*

**Romona Small,**  
*Clerk to the Senate (Ag.).*

(b) in subsection (1) paragraph (d) by inserting the words “or a wholesale pharmaceutical business” after the word “pharmacy”.

### 13. Amendment of section 18 – Sale of drugs

The principal Act is amended in section 18—

(a) in the heading by inserting the words “, distribution” after the word “Sale”;

(b) in subsection (1) by inserting the words “distribute,” after the words “sell,”;

(c) in subsection (1) paragraph (a) by inserting the words “distribution,” after the words “selling,”;

(d) in subsection (1) paragraph (b) by inserting the words “or distribution” after the word “selling”; and

(e) in subsection (1) paragraph (c) by inserting the words “, distribution” after the word “dispensing”.

### 14. Amendment of section 21 – Exemptions

The principal Act is amended in section 21 in subsection (1) paragraph (a) by inserting the words “where a patient is in need of a drug in an emergency situation and in such a case the medical practitioner, veterinary surgeon or dentist is permitted to supply the patient with only the quantity of drugs necessary to facilitate that particular emergency situation” after the word “profession”.

### 15. Amendment of section 23 – Use of titles

The principal Act is amended in section 23 subsection (3) by—

(a) repealing the words “he is registered as a pharmacist” and substituting the words “premises upon which a sign, emblem or representation is displayed are appropriately registered”;

(b) repealing the word “any” and substituting the word “the”; and

(c) inserting the words “, “pharmaceuticals” after the words ““drug dispensary””.

### 16. Amendment of section 28 – Regulations

The principal Act is amended in section 28—

(a) by inserting the words “(1)” before the words “The Minister”;