



BERMUDA

PHARMACY AND POISONS AMENDMENT ACT 2011

2011 : 31

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WHEREAS it is necessary to amend the Pharmacy and Poisons Act 1979 to strengthen the regulatory control over the importation of prescription medicines into Bermuda to ensure safety and quality;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Pharmacy and Poisons Act 1979 (the "principal Act"), may be cited as the Pharmacy and Poisons Amendment Act 2011.

Amends section 2

2 Section 2 of the principal Act is amended in the definition of "Schedule 3 drug" by deleting "25(4)" and substituting "25(6)".

Repeals section 25

3 Section 25 of the principal Act is repealed and replaced with the following—

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“Restrictions on the importation of medicines

25 (1) A person shall only import into Bermuda for medicinal use medicines that are obtained from foreign manufacturers or foreign wholesalers if those medicines are eligible for sale in the United States of America, Canada or a country in the European Union in accordance with the regulatory standards of the relevant country.

(2) A person who acquires medicine from abroad for distribution or sale in Bermuda shall register with the Minister in accordance with regulations made under this Act by the Minister.

(3) Any person who fails to comply with this section or any regulations made under this Act commits an offence.

(4) A person who fails to comply with this section or any regulations made under this Act may have any medicines being imported by him forfeited to the Crown.

(5) The Minister may make regulations to prescribe the requirements for—

- (a) the registration of a person under subsection (2); and
- (b) the importation of medicines.

(6) In this section—

“manufacturer” means a person involved in the production, preparation, propagation, conversion, processing, packaging or labelling of medicine;

“medicine” means any substance specified in the Third Schedule (in this Act referred to as a “Schedule 3 drug”);

“wholesaler” means a person who obtains medicine for distribution or delivery to persons other than consumers.

(7) The negative resolution procedure shall apply to regulations made under this section.”

Repeals section 26

4 Section 26 of the principal Act is repealed.

Amends Third Schedule

5 The Third Schedule is amended in the section reference by deleting “25(4)” and substituting “25(6)”.

Revocation of BR 27/2011

6 The Pharmacy and Poisons (Designation of Approved Countries) Order 2011 is revoked.

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[Assent Date: 10 August 2011]

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