PHARMACY BOARD ACT

CHAPTER 29:52

Act
7 of 1960
Amended by
*172/1961
136/1976
42 of 1981
12 of 1998
25 of 2003
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*Repealed by 8/1962 (post Independence)

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Note on Omissions

LNs Nos. 100 to 108 of 1999 which deal with delegation of functions made under section 31(3) of this Act have been omitted.

Note on subsection (3) of section 24

The original section 24 of the Act was repealed and replaced by Act No. 42 of 1981 which contained only two subsections, [*viz.* subsections (1) and (2)]. Act No. 25 of 2003 amended section 24 by inserting after a non-existing subsection (3), subsections (4), (5) and (6).

Note on section 7

Section 5 of Act No. 42 of 1981 which amended the Act by repealing section 7 and appointing a new Council provides as follows:

"Duties of Council pending appointment of new Council.

5. Pending the appointment of the first Council in accordance with the provisions of the principal Act as amended by this Act (i.e. Act No. 42 of 1981) (hereinafter in this section referred to as the "new Council"), the duties of the Council shall be carried out by members of the Council in office immediately before the commencement of this Act (i.e. before the 12th February, 1988) and those members shall vacate office in favour of the new Council on the last day of the month in which the new Council is fully constituted.".

Note on section 39

Section 42 of Act No. 42 of 1981 repealed section 39 of the Act with savings provisions [*see* subsections (2), (3), (4) and (5) of section 42 of Act No. 42 of 1981 (set out hereunder) which preserved the continuation of the registration of medical practitioners and pharmacists under the Act for the time and period stated in those subsections].

Subsections (2), (3), (4) and (5) of Act No. 42 of 1981 provide as follows:

"(2) Notwithstanding the repeal of section 39 any medical practitioner who immediately before the commencement of this Act is registered as a pharmacist and holds a diploma which is recognised by the Council as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill to practise pharmacy shall continue to be registered as such pharmacist.

(3) Notwithstanding the repeal of section 39 any medical practitioner who immediately before the commencement of this Act is registered as a pharmacist but does not hold such diploma as is referred to in subsection (2) shall, continue to be registered as such pharmacist for a period of one year from the commencement of this Act.

(4) No alteration in law effected by this Act shall prevent a pharmacist who immediately before the commencement of this Act had the immediate supervision and control of a pharmacy from continuing to exercise such supervision and control after the commencement of this Act.

(5) All persons registered as pharmacists immediately prior to the commencement of this Act shall continue to be so registered under the principal Act.".

Note on Adaptation

1. Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

2. Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

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PHARMACY BOARD ACT

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CHAPTER 29:52

PHARMACY BOARD ACT

An Act to establish a Pharmacy Board and to control the distribution of drugs. 7 of 1960.

[21ST SEPTEMBER 1961] Commencement. [114/1961].

1. This Act may be cited as the Pharmacy Board Act. Short title.

2. In this Act— Interpretation. [42 of 1981 12 of 1998 25 of 2003 18 of 2006].

"approved" means approved by the Council;

"approved pharmaceutical establishment" means—

(a) a retail pharmacy business;

(b) the pharmaceutical department of a hospital or similar institution; or

(c) a pharmaceutical industrial establishment,

as approved by the Council;

"the Council" means the Council of the Pharmacy Board constituted under this Act;

"device" means any instrument, apparatus or contrivance, including components, parts and accessories thereof, manufactured, sold or represented for use in the diagnosis, treatment, mitigation or prevention of a disease, disorder, abnormal physical state, or the symptoms thereof, in man or animal;

"diploma" means any diploma, degree, fellowship, membership, licence, certificate or other status or form of recognition granted by a university, college or duly licensed body conferring authority to practise pharmacy in the country where granted;

"dispense", in relation to a drug, means to supply on and in accordance with a prescription duly given by a registered medical practitioner, a registered dentist, or a registered veterinary surgeon;

"drug" includes any substance or mixture of substances manufactured, sold or represented for use in—

(a) the diagnosis, treatment, mitigation or prevention of a disease, disorder, abnormal physical state, or the symptoms thereof, in man or animal; or

(b) restoring, correcting or modifying organic functions in man or animal;

"licence" means a pharmacy licence issued under section 27 or a shopkeeper's licence issued under section 31, as the case may be;

"the Medical Council" means the Council of the Medical Board of Trinidad and Tobago;

"medical practitioner", "dentist" and "veterinary surgeon", respectively, means a person who is entitled to practise medicine, dentistry or veterinary surgery pursuant to the provisions of any Act in that behalf;

"member" means a member of the Board;

"package" means any box, packet or other article in which drugs are enclosed, and where any such box, packet or other article is itself enclosed in one or more other boxes, packets or other articles, includes each of the boxes, packets or articles so enclosed;

"person" includes any body of persons whether corporate or incorporate;

"pharmaceutical student" means a student in pharmacy who has been duly registered for training in pharmacy pursuant to the provisions of this Act;

"pharmacist" means a person registered as such under this Act;

"pharmacy" means a shop or place of business operated for the purpose of—

(a) selling by retail, poisons, drugs or devices; or

(b) compounding and dispensing prescriptions given by registered medical practitioners, dentists and veterinary surgeons;

"the Pharmacy Board" or "the Board" means the Pharmacy Board of Trinidad and Tobago established by this Act;

"poison" means—

Third Schedule. *(a)* any substance referred to in the Third Schedule;

Third Schedule. *(b)* any preparation referred to in the Third Schedule; or

(c) where no preparation is referred to in the Third Schedule in respect of any substance in that Schedule, any preparation containing such substance; Third Schedule.

"prescribed" means prescribed by or under this Act;

"prescription" means a direction in writing from a medical practitioner, dentist or veterinary surgeon directing the dispensing of any drug or mixture of drugs to a named person;

"proprietor" in relation to any pharmacy means the person carrying on business in the pharmacy, and includes a part owner;

"the registrar" means the person holding the office of registrar under the provisions of this Act;

"responsible pharmacist" means a pharmacist registered as such in accordance with this Act who has either practised or been employed as such for a continuous period of one year after registration;

"retail" means sell a drug or device to the general public;

"rules" means rules made under this Act;

"sell" includes offer for sale, expose for sale, have in possession for sale, and distribute;

"shop" means a supermarket, mini-mart, grocery or dry goods store;

"shopkeeper" means a person who owns, operates or manages a shop;

"the President" means the President of the Board;

"the profession" means the pharmaceutical profession;

"the Vice-President" means the Vice-President of the Board;

"veterinary medicine" means any substance or preparation, that is used or intended for use for the prevention or treatment of any ailment, disease or disorder, deformity, defect, or injury of animals or birds, and includes a drug supplied on a prescription given by a veterinary surgeon.

PHARMACY BOARD

Incorporation of Pharmacy Board of Trinidad and Tobago.

3. There is hereby established a Board which shall be a body corporate by the name of the Pharmacy Board of Trinidad and Tobago.

Membership of the Board.

4. All pharmacists shall be members of the Board. However, until such time as the registrar has established a Register of Pharmacists in accordance with this Act, the Board shall be deemed to consist of all persons who immediately prior to the commencement of this Act were registered or licensed as druggists under the repealed Medical Board Ordinance.*

Ch.12 No. 2. (1950 Ed.).

Holding powers.

5. The Board may acquire, hold and enjoy any property, movable or immovable, by purchase, gift, legacy or otherwise and may sell, lease, mortgage, alienate or otherwise dispose of any property.

Head Office.

6. The Head Office of the Board shall be in the City of Port-of-Spain.

†Constitution of the Council. [42 of 1981].

7. (1) There shall be a Council of the Board which shall consist of—

(a) two pharmacists, who shall be appointed by the Minister;

(b) six pharmacists, elected at a meeting of the Board duly convened for the purpose; and

(c) two medical practitioners appointed by the Medical Council.

(2) The ten persons referred to in subsection (1) shall respectively be pharmacists and medical practitioners of not less than five years standing.

(3) Except as provided in sections 9 and 10, every member of the Council shall hold office for a term of two years, but may from time to time be re-appointed or re-elected.

*Repealed by Ordinance 35 of 1960.

†*See* Note on section 7 on page 2.

(4) Elections for membership of the Council shall be held at such times and places as the Council and the Medical Council may from time to time respectively determine.

(5) The members of each new Council shall take office from the first day of the month immediately following his appointment or that in which the election is held.

(6) A quorum at a meeting of the Council shall be constituted by not less than five members of whom at least one shall be a member appointed by the Minister under paragraph *(a)* of subsection (1) or a member appointed by the Medical Council under paragraph *(c)* of subsection (1).

(7) The powers of the Council shall not be affected by any vacancy in its membership or by any defect with respect to the appointment of any of its members.

(8) The Council shall meet at least quarterly.

(9) Every question before the Council shall be determined by a majority of the votes of the members present.

(10) The President shall preside at all meetings of the Council at which he is present and he shall have an original vote; and in the case of an equality of votes he shall also have a casting vote.

(11) In the absence from any meeting of the Council of the President and Vice-President the Council shall appoint some member present to act as President for that meeting, and the person so appointed shall have and may exercise all the powers and functions of the President for the purposes of that meeting.

(12) Except as expressly provided in this Act or in Regulations made hereunder the Council may regulate its own procedure.

Committee of the Council. [42 of 1981].

7A. (1) The Council may, from time to time, appoint committees consisting of two or more members of the Council, and may delegate to any such committee any of the functions or powers of the Council under this Act other than the functions and powers conferred on the Council by section 20.

(2) Every such committee shall be subject in all things to the control of the Council and may at any time be discharged, altered, or reconstituted by the Council.

(3) Any delegation under this section may be revoked at any time.

(4) No delegation under this section shall prevent the exercise of any function or power by the Council.

(5) A committee appointed by the Council may for the purposes of the execution of its duties employ, at the expense of the Board, such legal or other assessors or assistants as the committee may think necessary or proper.

Provisional Council.

8. (1) Pending the election of the first Council in accordance with this Act the duties of the Council under this Act shall be carried out by a Provisional Council consisting of the members for the time being of the Management Committee of the Pharmaceutical Society of Trinidad and Tobago together with four medical practitioners nominated by the Medical Council.

(2) The members of the Provisional Council constituted under this section shall vacate office in favour of the Council elected under section 7 on the last day of the month in which the election of the members of the Council is held.

Vacancies in Council and filling thereof. [42 of 1981].

9. (1) A member of the Council shall vacate his office if he—

(a) resigns by tendering his resignation to the registrar of the Board;

(b) ceases to be a member of the Pharmacy Board or of the Medical Board, as the case may be; or

(c) ceases to reside in Trinidad and Tobago.

(2) If a member of the Council dies or resigns or otherwise vacates his office, the vacancy for the unexpired portion of the term shall be filled in the manner in which the vacant office was originally filled.

(3) If it appears to the Council that any one of its members is, by reason of illness, absent from Trinidad and Tobago, or for any other cause, unlikely to be able for some time

to perform his duties as a member of the Council, the Council may declare the seat of any such member to be temporarily vacant, and the temporary vacancy shall be filled, for the period of its duration, according to the manner set out in subsection (2) for the filling of vacancies.

Officers of Council. [42 of 1981].

10. (1) The Council shall elect from among its members a President, a Vice-President, a Secretary-Treasurer and such other officers as the Council from time to time considers necessary.

(2) The Secretary-Treasurer shall also be the registrar of the Board.

(3) An officer of the Council shall hold office as long as he is a member of the Council, but if he ceases to be a member of the Council by reason only of effluxion of time, he shall continue in office pending the election of a successor unless in the meantime the Council has resolved that the office be abolished.

(4) Subject to this section, the Council may elect one of its members to fill a temporary vacancy or to complete the unexpired term of office of an officer who ceases to hold office.

(5) During any vacancy in the office of President or whenever the President is unable to act, whether by reason of absence or illness or otherwise, the Vice-President shall have and may exercise all the powers and functions of the President.

Powers and objects of the Council. [42 of 1981].

11. (1) Subject to this Act and the Regulations, the Council shall have sole control and management of the property of the Board and the affairs of the Board shall be managed by the Council.

(2) The objects of the Council shall be—

(a) to promote and encourage proper conduct amongst pharmacists;

(b) to promote good relations between pharmacists and doctors;

(c) to suppress illegal, dishonourable, improper and objectionable practices amongst pharmacists;

(d) to preserve and maintain the professional status and integrity of pharmacists;

(e) to publish or distribute in any manner the Council thinks fit publications relevant to the profession;

(f) generally to promote in any manner which the Council thinks fit the interest of the profession.

Application of common seal.

12. Except as otherwise provided by this Act, the application of the common seal of the Board shall be attested by the President or the Vice-President and the Secretary-Treasurer of the Council.

Execution of contracts or instruments by the Board.

13. (1) Any contract or instrument which, if entered into or executed by a person not being a corporation, would not require to be under seal, may be entered into or executed on behalf of the Board by any person generally or specially authorised by the Council for that purpose.

(2) Any document purporting to be a document duly executed or issued under the common seal of the Board or on behalf of the Board shall, until the contrary is proved, be deemed to be a document so executed or issued, as the case may be.

General Meeting.

14. The Council shall at least once in each financial year convene a general meeting of the Pharmacy Board and at that meeting shall report on all matters connected with the management, control and activities of the Council and of the Board.

Financial year.

15. The financial year of the Board shall be from the first day of January to the thirty-first day of December.

Rules of the Board and examinations. [42 of 1981 18 of 2006].

16. (1) The Council shall, from time to time, make Rules for all or any of the following purposes:

(a) the regulation and good government of the Board and of the members and affairs of the Board;

(b) prescribing the limits within which any pharmacist may give advice in his professional capacity to members of the public;

(c) prescribing a code of ethics and rules of discipline in respect of pharmacists;

(d) regulating the sale of drugs by pharmacists and requiring or prohibiting the use by pharmacists of specified methods of selling drugs or soliciting orders for drugs;

(e) the holding of meetings of members of the Board;

(f) prescribing rules of discipline in respect of temporary licence holders and generally for the purpose of carrying into full effect the objects of the Council.

(2) The Council shall—

(a) appoint and define the duties of examiners in respect of any examination of candidates, other than an examination conducted by a university for the purposes of registration under this Act;

(b) supervise the holding of examinations other than an examination conducted by a university.

Functions of registrar. [25 of 2003].

16A. The registrar shall on the direction of the Council—

(a) establish, keep and maintain the registers set out in section 17;

(b) issue and revoke temporary licences, to practise pharmacy;

(c) issue certificates of registration;

(d) add and remove names from the registers set out in section 17;

(e) receive fees for use by the Board; and

(f) keep open the register for public inspection at all reasonable times on the payment of the prescribed fee.

REGISTRATION

Register of pharmacists. [42 of 1981 25 of 2003 18 of 2006].

17. (1) The registrar shall keep and maintain—

(a) a register of all persons registered as pharmacists under this Act showing their names and addresses and such other particulars (if any) as are prescribed;

(b), *(c)* ***(Deleted by Act No. 18 of 2006);***

(d) a register of all persons registered as pharmacy assistants, the name and the business address of the approved pharmaceutical establishment;

(e) ***(Deleted by Act No. 18 of 2006).***

(2) Immediately after the receipt of any application for registration the Council shall consider the application and shall give such directions in respect of it as the Council thinks fit.

(3) Where an applicant for registration is entitled to be registered under this Act the Council shall so direct the registrar and the registrar shall thereupon register the applicant and shall notify him accordingly.

(4) If an applicant for registration is not entitled to be registered under this Act the Council shall so direct stating the reasons for such direction and the registrar shall thereupon refuse to register the applicant and shall notify him of the refusal and of the reasons therefor.

(5) The registrar shall cause a copy of the registers to be lodged with the Council.

(6) The Council shall, on or before the 15th day of January in each year, cause to be printed and published in the *Gazette* a list in alphabetical order, of all persons and pharmacies named in the registers kept by the registrar with their addresses, as they appear in the register on the date specified in the list.

(7) Where the registrar has been directed by the Council under subsection (3), to register an applicant who is entitled to be registered under this Act, and he fails to do so, the applicant shall

be entitled within twenty-one days of the direction being given, to be registered by the President of the Council.

17A. ***(Repealed by Act No. 18 of 2006).***

Temporary licences. [18 of 2006].

18. (1) The registrar shall issue a temporary licence to an applicant to practise pharmacy at an approved pharmaceutical establishment for a period of three months where the applicant is a national of a Caricom Member State and—

(a) has been awarded a degree in Pharmacy by an institution recognised by the Accreditation Council of Trinidad and Tobago;

(b) has established to the satisfaction of the Council that—

(i) he is of good character; and

(ii) he is mentally and physically capable of performing satisfactorily the duties of a pharmacist; and

(c) has paid the prescribed fee.

(2) The registrar shall issue a temporary licence to an applicant to practise pharmacy at an approved pharmaceutical establishment for a period of three months where the applicant is a member of a non-Caricom Member State and where the applicant—

(a) satisfies all the requirements listed in paragraphs *(a)* to *(c)* of section 18(1); and

(b) is the holder of a valid licence to practise pharmacy in another jurisdiction.

(3) The three-month period of supervision, referred to in subsections (1) and (2) may be extended for such further period by the Pharmacy Board upon recommendation by the Chief Medical Officer.

(4) The registrar shall issue a temporary licence to practise pharmacy to an applicant to train as a pharmacist at an approved pharmaceutical establishment for a period of six months where the applicant—

(a) satisfies the requirements listed in paragraphs *(b)* and *(c)* of section 18(1); and

(b) is the holder of a degree in Pharmacy from the University of the West Indies.

Registration. [18 of 2006].

18A. (1) A person to whom a temporary licence has been issued under section 18(1) and (2), shall be registered as a pharmacist upon presentation of a certificate from the Chief Medical Officer certifying that he has worked under the supervision of a responsible pharmacist at an approved pharmaceutical establishment and is now competent to be registered as a pharmacist.

(2) A person to whom a temporary licence has been issued under section 18(4), shall be registered as a pharmacist upon presentation of a written declaration by a responsible pharmacist that the appilcant has completed eight hundred and forty hours of training and is now competent to be registered as a pharmacist.

Registration fees. [42 of 1981].

18B. A person upon being registered as a pharmacist or to whom a temporary licence has been issued shall pay such initial registration fee and annual renewal of registration fee as may be prescribed and every pharmacist upon payment of the annual fee prescribed by the Regulations is entitled to a renewal of a certificate of registration which is valid for one year from the date fixed for payment of the annual fee.

Registration as a pharmacist not to entitle a person to practise medicine, etc. [42 of 1981].

18C. Registration as a pharmacist under this Act shall not entitle any person so registered to practise medicine or surgery or any branch of medicine or surgery.

Pharmacist to display his certificate. [42 of 1981].

18D. Every pharmacist shall display his certificate of registration or any renewal thereof in a conspicuous position in his pharmacy or in the pharmacy in which he is employed.

Records of persons holding temporary licence. [25 of 2003].

18E. The registrar shall keep in relation to a person holding a temporary licence to practise as a pharmacist, a record of—

(a) the name and address of the person so licensed;

(b) the time during which the licence shall remain in force; and

(c) the nature, character of the aspect of pharmacy practice which may be performed.

Inspection and publication of Register. [42 of 1981].

19. (1) The register shall be open to public inspection at all reasonable times on payment of such fee as may be prescribed.

(2) The registrar shall, on registration being effected, issue to the pharmacist a certificate of registration.

(3) If the name of any person to whom a certificate of registration had been issued has been removed from the Register pursuant to the provisions of this Act the Council may direct him to return his certificate of registration to the registrar.

(4) Every person who fails to return his certificate of registration to the registrar within one month after he has been directed by the Council to do so under subsection (3) is guilty of an offence.

(5) The Council shall, on or before the 15th day of January in each year, cause to be printed and published in the *Gazette* a list of the names of all pharmacists in alphabetical order, with their addresses, as they appear in the register on the date specified in the list.

Suspension from practice because of disability. [42 of 1981 25 of 2003].

19A. (1) If it appears to the Council that any pharmacist or pharmacy assistant is by reason of mental or physical disability unable to perform his professional duties satisfactorily, the Council may by notice in writing signed by the President, Vice-President or registrar, and served on the pharmacist or pharmacy assistant, require the pharmacist or pharmacy assistant, at the expense of the Board, to submit himself for examination by a registered medical practitioner named in the notice within such reasonable time, being not less than seven days, as may be specified in the notice.

(2) If a registered medical practitioner makes an examination of any pharmacist or pharmacy assistant under subsection (1) he shall as soon thereafter as practicable make a report in writing to the registrar as to the mental and physical condition of the pharmacist or pharmacy assistant examined so far as that affects his capacity to perform his professional duties satisfactorily.

(3) If a notice in writing has been served on a pharmacist or pharmacy assistant under subsection (1), but the pharmacist or pharmacy assistant has not by the time specified in the notice submitted himself for examination by the medical practitioner named in the notice, the Council may, after

considering all relevant circumstances and after giving the pharmacist or pharmacy assistant a reasonable opportunity to be heard, suspend the pharmacist or pharmacy assistant from practice as a pharmacist or pharmacy assistant if it is satisfied that he is by reason of mental or physical disability unable to perform his professional duties satisfactorily.

(4) If a notice in writing has been served on a pharmacist or pharmacy assistant under subsection (1) and the registrar has received a written report in respect of the pharmacist or pharmacy assistant from the medical practitioner named in the notice the Council may, after considering the report and all relevant circumstances and after giving the pharmacist or pharmacy assistant a reasonable opportunity to be heard, suspend the pharmacist or pharmacy assistant from practice as a pharmacist or pharmacy assistant if it is satisfied that he is by reason of mental or physical disability unable to perform his professional duties satisfactorily.

(5) Any suspension under this section shall take effect forthwith, but may at any time be revoked by the Council.

(6) While any person is so suspended from practice under this section, that person shall for the purposes of sections 20 to 22 be deemed to be registered as a pharmacist or pharmacy assistant but for any other purpose of this Act he shall be deemed not to be so registered.

DISCIPLINE AND APPEALS

Exercise of disciplinary powers over members by the Council. [42 of 1981].

20. (1) If a complaint is made to the Council, or the Council has reason to believe that any pharmacist—

(i) has been guilty of infamous conduct or negligence in a professional respect; or

(ii) has been convicted by any Court in Trinidad and Tobago of any offence punishable on indictment; or

(iii) has been convicted by any Court outside of Trinidad and Tobago of any offence which, if committed in Trinidad and Tobago, would render such person liable to conviction on indictment; or

(iv) has been convicted of any offence under this Act,

the Council after due enquiry may—

(a) censure or reprimand the member;

(b) suspend the member for any period not exceeding two years; or

(c) by resolution declare that the member is in its opinion unfit to be a member of the Board and may give a written order to the registrar to remove the name of that member from the register; and the registrar shall comply with the order forthwith and send a true copy of the order to the member by fully prepaid registered post, addressed to him at his last known address.

(2) A member who has been suspended shall forthwith cease to practise as a pharmacist and shall not resume such practice until the period of suspension has expired.

(3) A person who has been suspended under subsection (1) shall for the period of the suspension be deemed not to be a member of the Board.

(4) A pharmacist whose name has been removed from the register under subsection (1) or who has been suspended under that subsection shall not until his name has been restored to the register or until the period of suspension has expired operate a pharmacy either on his own behalf or as an employee.

Appeals from decisions of the Council. [42 of 1981].

21. (1) Any person who is directly affected by any decision of the Council and is aggrieved by the decision may within six weeks after the date on which notice thereof is given to him by the registrar, appeal to a Judge in Chambers; and the Judge may give such directions in the matter as he thinks proper, including any directions as to the costs of the appeal.

(2) Rules of Court may be made in the manner set out in sections 77 and 78 of the Supreme Court of Judicature Act, with respect to the conduct and hearing of appeals under this section. Ch. 4:01.

(3) In the determination of an appeal under this section the Judge may confirm, modify or reverse a decision of the Council.

(4) A decision of a Judge under this section shall be final.

Reinstatement. [42 of 1981].

22. The Council may, by resolution order that the name of a member which has been removed from the register pursuant to section 20(1) shall be again entered on the register.

DRUGS

Sale of certain products for human or animal use. [42 of 1981].

23. (1) Subject to this Act, any person other than a pharmacist or other person authorised to do so under this or any other Act who retails for human use any glandular product, toxoid, serum, vaccine or bacterin which is intended for oral or parenteral administration is guilty of an offence.

(2) Subject to this Act, any person other than a pharmacist, a veterinary surgeon or other person authorised to do so under this or any other Act who retails any veterinary biological product for use by oral or parenteral administration is guilty of an offence.

(3) The requirements of this section and section 24 shall be deemed to have been complied with, whether the pharmacist in question is the proprietor of the pharmacy or not, if he is in fact engaged in the work of supervising, directing and controlling the retailing, dispensing or compounding of drugs or devices or of dividing, or subdividing, or otherwise.

Dispensing of prescriptions and compounding of drugs. [42 of 1981 25 of 2003 18 of 2006].

24. (1) Subject to this Act any person other than—

(a) a pharmacist; or

(b) a temporary licence holder acting under the direct personal supervision and in the presence of a pharmacist,

who dispenses a prescription or prepares or compounds drugs for retail shall be guilty of an offence.

(2) Any person who employs or authorises or permits another person who is not—

(a) a pharmacist; or

(b) a temporary licence holder acting under the direct personal supervision and in the presence of a pharmacist,

to dispense any prescription or prepare or compound drugs for retail shall be guilty of an offence.

(3) ***(See Note on page 2 re this subsection).***

(4) Notwithstanding subsections (1) and (2), there may be attached to a pharmacy, such number of pharmacy assistants not exceeding the ratio of one responsible pharmacist to two pharmacy assistants who shall perform the following functions:

(a) assist in the preparation and compounding of prescriptions, medication orders and ward stock;

(b) receive, check and store stock, and check for expiry dates of all pharmaceuticals;

(c) assist in entering prescription orders into the information system, whether electronic or paper-based;

(d) prepare books or computer files for keeping records such as dangerous drugs, antibiotics, controlled drugs, general prescription books;

(e) assist in the preparation of ward-patient, medication carts and deliver same;

(f) co-ordinate with pharmacists in the preparation of up-to-date available drug lists for use by medical practitioners; and

(g) assists in the pre-packaging of drugs, including solids, liquids, injectibles, ointments and creams.

(5) A Pharmacy Assistant referred to in subsection (4) shall—

(a) have such appropriate training as may be prescribed by the Minister in Regulations; and

(b) in carrying out his duties, at all times, be under the direct supervision of a pharmacist or responsible pharmacist.

(6) Nothing in this Act shall be construed as permitting a pharmacy assistant to directly dispense any prescription to patients or clients or to provide counselling and or pharmaceutical care to a patient or client.

Pharmacy assistant may dispense prescriptions or compound drugs. [25 of 2003].

24A. Nothing in section 24 shall be construed as preventing a pharmacy assistant from assisting in—

(a) the dispensing of prescriptions; and

(b) the preparation or compounding of drugs, for retail.

Use of certain descriptions and signs prohibited unless users are registered. [25 of 2003].

25. (1) Any person not being a pharmacist who takes or uses the title of "pharmacist", "druggist", "chemist and druggist", "pharmaceutical chemist", "apothecary", "dispensing chemist", "dispensing druggist" or any other title or symbol calculated to suggest that he is recognised by law as a pharmacist or as a person entitled to dispense prescriptions or to prepare or retail drugs or devices is guilty of an offence.

(2) Except as provided by this Act any person who displays any sign, fixture, title or advertisement bearing the words "drugs", "drug store", "drug dispensary" or any other words or symbols intended to convey the impression that the premises to which the sign, fixture, title or advertisement relates are duly licensed for the sale of drugs or devices is guilty of an offence.

(3) Any pharmacist who practises under any name other than that under which he is registered is guilty of an offence.

(4) Any person not being a pharmacy assistant who takes and uses the title "pharmacy assistant" or any other title or symbol, calculated to suggest that he is recognised by law as a pharmacy assistant or is a person entitled to assist in the dispensing of prescriptions or the preparation of drugs for sale by retail, is guilty of an offence.

(5) Any pharmacy assistant who practices under any name other than that under which he is registered commits an offence.

OWNERSHIP AND CONTROL OF PHARMACIES

Every pharmacy to be under supervision of a responsible pharmacist. [42 of 1981].

26. (1) Notwithstanding anything in this Act no person shall keep, or permit to be kept, or managed any pharmacy unless it is under the immediate supervision and control of a responsible pharmacist who shall be responsible for carrying out the professional operations of the pharmacy and for compliance with this Act and of any other enactment as to everything relating to the pharmacy.

(2) A responsible pharmacist shall not be responsible for more than one pharmacy at any one time.

(3) Every person operating a pharmacy shall, within seven days of the commencement of such operation, notify the registrar in writing of the name of the pharmacist employed for the purpose of subsection (1), and of any change of person so employed and any such person who fails to do so shall be guilty of an offence.

(4) A responsible pharmacist, after notifying the registrar in writing of his intention, may authorise another responsible pharmacist to act in his stead in the pharmacy for which he is responsible for a specified period, and, upon being so authorised, the other pharmacist shall in all respects have the same powers as the pharmacist.

(5) This section shall not apply to the sale by any person of any article or substance referred to in the First Schedule, except that— First Schedule.

(a) where the article or substance is sold by retail, it shall be labelled as prescribed by the regulations respecting such article or substance, and

(b) where the article or substance is sold by retail for the prevention or treatment of any ailment, disease or physical disorder by any person other than a pharmacist, it shall be sold in the container in which it was purchased by the person who so sells it by retail.

(6) Nothing in this section shall prevent a pharmacist who immediately before the commencement of this Act had the immediate supervision and control of a pharmacy from continuing to exercise such supervision, direction and control.

(7) Every person who contravenes or fails to comply with any provision of this section is guilty of an offence.

Duty of pharmacist. [42 of 1981].

26A. A pharmacist who permits any person, other than another pharmacist, to direct, influence, or participate in the professional business of the pharmacy for whose management and conduct he is responsible is guilty of an offence.

Licensing and registration of pharmacies. [42 of 1981].

27. (1) Any person who uses any place as a pharmacy shall, unless a licence has been granted by the Council for the use of the place as a pharmacy be guilty of an offence.

(2) No premises shall be licensed as a pharmacy unless they comply with the prescribed Regulations as to space, equipment and facilities.

(3) The Council shall keep a register of all premises licensed as pharmacies, together with the names of the proprietor and of the pharmacist employed for the purposes of section 26 and such other particulars as may be prescribed.

Persons carrying on pharmacies to conform with conditions of licence. [42 of 1981].

27A. (1) No person, other than a pharmacist, either alone or in partnership, shall establish or carry on business in a pharmacy, unless a licence has been granted to him by the Council under section 27 for the purpose and he conforms with conditions prescribed by the Council, and any person who acts in contravention of this section is guilty of an offence.

(2) Notwithstanding subsection (1)—

(a) a personal representative of a deceased pharmacist;

Ch. 9:70.

(b) an assignee within the meaning of the Bankruptcy Act or any Act enacted in lieu thereof, carrying on a pharmacy in his capacity as assignee of the estate of a pharmacist;

(c) a liquidator carrying on a pharmacy under the authority of the corresponding section of the Companies Act to section 182 of the Companies Ordinance, or of any provision enacted in lieu thereof;

Ch. 81:01. Ch.31. No.1 1950 Ed.

(d) a receiver or manager of the property of a company carrying on, subject to the corresponding Part of the Companies Act to Part VI of the Companies Ordinance or any provision enacted in lieu thereof, a pharmacy comprised in the property of the Company,

may carry on business in a pharmacy for a period of not more than one year from the date respectively of the death of the deceased

pharmacist or the date of the first appointment of an assignee in respect of an estate comprising a pharmacy, or the date of the first appointment of a liquidator, receiver or manager in respect of a company which has carried on a pharmacy.

Applications for pharmacy licence. [42 of 1981].

27B. (1) Every application for a pharmacy licence under this Act shall be in the prescribed form and shall be forwarded to the Secretary of the Board together with the prescribed licence fee and in any case in which the applicant is a body corporate shall be signed by the pharmacist who is to have the management and conduct of the pharmacy as well as by the applicant.

(2) On receiving an application for a pharmacy licence, the Secretary shall cause the application to be transmitted to the Council, who shall consider the application.

(3) In considering such application the Council shall have regard to the public interest and the interests of the pharmaceutical profession, and for such purposes, shall ensure, so far as is consistent with the provision to the public of a full, efficient and economic service in respect of the supply of drugs and pharmaceutical goods, that the operations of pharmacies are controlled by pharmacists; and without prejudice to the generality of the foregoing the Council shall have regard to—

(i) the size, provisions for sanitation and safety of the premises in which the pharmacy business is to be conducted in pursuance of the licence;

(ii) such other matters as, having regard to its function under subsection (3) of section 27C, the Council thinks proper.

Decision of Council. [42 of 1981].

27C. (1) The Council shall grant an application made under section 27B for a pharmacy licence where the Council is satisfied that the requirements of this Act and any Regulations made thereunder have been satisfied and the Council may refuse the grant of such licence on the ground that the name proposed is, in the opinion of the Council, objectionable, undesirable or misleading or on the ground that the requirements of this Act or any Regulations made thereunder have not been satisfied.

(2) Every person to whom a pharmacy licence has been granted shall at all times cause the same to be kept displayed in a conspicuous position in the pharmacy in respect of which it is granted and in any case in which the provisions of this subsection are not complied with the proprietor and any person concerned in the management of such pharmacy is guilty of an offence.

(3) Every licence for a pharmacy owned by a company shall be issued in the name of the pharmacist who has the management and conduct of the pharmacy and has signed the application for such licence as prescribed by section 27B.

(4) Where on an application for a licence under section 27B the Council refuses to grant the licence, the Council shall serve on the applicant a notice stating the reasons for their decision.

Cessation of operation of business.

28. (1) Any person owning or operating or being in charge of a dispensary, pharmacy or hospital dispensary who fails, within five days after ceasing to own, operate or be in charge of the dispensary, pharmacy or hospital dispensary, to notify the registrar in writing of the cessation is guilty of an offence.

(2) Any owner of a pharmacy who fails on or before the tenth day of January in each year to notify the registrar of the name of the manager or person in charge of each pharmacy owned by him and of the pharmacists and pharmaceutical students employed therein, and any owner of a pharmacy who fails to notify the registrar of any change in the management or in the personnel employed, within five days of the change, is guilty of an offence.

Prescriptions. [42 of 1981].

28A. (1) Every pharmacist shall—

(a) number every prescription which is brought to his pharmacy to be filled;

(b) file each such prescription, or, if the person for whom the prescription was provided desires to retain the original prescription and such prescription does not prescribe any dangerous substance or quantities of any substance that

would make it inadvisable for the pharmacist to part with the same, file a true copy of such prescription;

(c) record in legible handwriting in a book the number and date of each prescription filled in his pharmacy, the name of the person for whom, and of the medical practitioner by whom, the same was given, the particulars of every prescription, and the directions which accompanied the medicine.

(2) The record referred to in paragraph *(c)* of subsection (1) shall be open at all times to the inspection of the Chief Medical Officer and the Commissioner of Police, on the written authority of the Director of Public Prosecutions, and shall be produced whenever required by any Court, Magistrate or Coroner, in the course of any inquiry or investigation which such Court, Magistrate or Coroner has authority to institute or hold.

(3) A prescription, or as the case may be, a copy of a prescription filed under subsection (1) shall remain on the file of the pharmacist for not less than two years.

Breach of duty of pharmacist to dispense drugs as prescribed by medical practitioner. [42 of 1981].

28B. Where a pharmacist who is required to fill a prescription brought to his pharmacy to be filled—

(a) without the express consent of the medical practitioner concerned selects and compounds or dispenses a drug in substitution for any drug that is required by such prescription; or

(b) fails to satisfy the requirements of such prescription either as to quality or quantity; or

(c) in any other manner fails in his duty to compound and dispense drugs as and when prescribed by a medical practitioner,

he is guilty of an offence.

Breaking of manufacturers' packages. [42 of 1981].

29. (1) In every establishment in which packages of drugs are divided, subdivided or otherwise broken for the purpose of repacking in larger or smaller quantities for sale by retail or

wholesale, the work of dividing, subdividing or otherwise breaking the packages shall be carried out under the immediate and effective supervision, direction and control of a pharmacist, and in any case in which the provisions of this section are not complied with the proprietor and any person concerned in the management of the establishment is guilty of an offence.

Second Schedule.

(2) Subsection (1) shall not apply to the drugs or devices listed or described in the Second Schedule.

What shall be deemed compliance with certain requirements.

30. The requirements of sections 26 and 29 shall be held to have been complied with, whether the pharmacist in question is the proprietor of the drugstore or establishment, or not, if he is in fact engaged in the work of supervising, directing and controlling the retailing, dispensing or compounding of drugs or devices or of dividing, subdividing or otherwise breaking packages of drugs, as the case may be; but the requirements of the sections shall be held not to have been complied with if the pharmacist in question carries on duty at more than one such place.

Licence to shopkeeper to sell certain drugs. [12 of 1998]. Second Schedule.

31. (1) The Minister may, upon application and payment of an annual fee of two hundred and fifty dollars by a shopkeeper, grant a licence to sell the drugs listed or described in the Second Schedule.

Fifth Schedule. Form 1. Form 2.

(2) An application made under this section shall be in the form set out in Form 1 of the Fifth Schedule and the licence granted in respect of such application shall be in the form set out in Form 2 of the Fifth Schedule.

(3) For the purposes of subsection (1), the Minister may, by Order, authorise the County Medical Officer of Health of the County in which the shop is situated to act on his behalf.

(4) In this section, "Minister" means the Minister to whom the responsibility for health is assigned.

Second Schedule.

(5) Any person who sells any drug listed or described in the Second Schedule, without first obtaining a valid licence to do so, commits an offence and is liable on summary conviction to a fine of five thousand dollars.

31A. Any person who sells any drug listed or described in the Second Schedule to a shopkeeper to whom a licence has not been granted under section 31(1) commits an offence and is liable on summary conviction to a fine of five thousand dollars.

Offence to sell drugs to unlicensed shopkeepers. [12 of 1998]. Second Schedule.

32. (1) *(a)* Any person who sells poison by wholesale shall, unless the word "Poison" is legibly and conspicuously displayed on the outer surface of the container in which the poison is contained, be guilty of an offence.

Containers to be marked "Poison" in case of certain drugs. [42 of 1981].

(b) Any person who sells poison by retail shall, unless the word "Poison", the name of the poison, the name and address of the proprietor of the establishment in which the poison is sold are legibly and conspicuously displayed on the outer surface of the container in which the poison is contained, be guilty of an offence.

(2) Any person who sells by retail any poison referred to in Part I of the Third Schedule to any person unknown to him is, unless the prospective purchaser is introduced to him by some person known to him and who knows the prospective purchaser, guilty of an offence.

Third Schedule.

(3) A record of every sale of poison referred to in Part I of the Third Schedule shall be entered in a book kept by the seller for that purpose.

Third Schedule.

(4) The record of a sale shall include the following information:

(a) the date of the sale;

(b) the name and address of the purchaser;

(c) the name and quantity of the poison sold;

(d) the purpose for which it is stated by the purchaser to be required;

(e) where the purchaser is unknown to the seller, the name of the person who introduced the purchaser, and in any case in which the provisions of the

section are contravened or not complied with, the pharmacist or other person so offending shall be guilty of an offence.

(5) When the seller has completed the record he shall cause the purchaser to sign it and shall sign it himself.

Third Schedule.

(6) The seller of any poison referred to in Part I of the Third Schedule who delivers it to the purchaser before a record of the sale has been completed and signed in accordance with this section is guilty of an offence.

(7) Subsections (1), (2) and (3) shall not apply to the sale of a poison where that poison forms part of the ingredients of any drug prescribed by a registered medical practitioner, dentist or veterinary surgeon, provided that the name and address of the seller are legibly and conspicuously displayed on the outer surface of the container in which the drug is sold.

Third Schedule.

(8) Any person retailing a drug who fails to take such steps as are necessary to ensure that any special or dangerous properties inherent in the application, use or administration of the drug when applied, used or administered according to adequate directions, are made known to and are understood by the purchaser is guilty of an offence; and, without restricting the generality of the foregoing, this provision shall apply to the poisons referred to in Part I of the Third Schedule and with respect thereto any pharmacist who fails to satisfy himself that the purpose for which the purchaser states that he is buying or purchasing the said poison is a proper one is guilty of an offence.

GENERAL

33. ***(Repealed by Act No. 42 of 1981).***

Certificate of registrar *prima facie* evidence of facts stated in it.

34. A certificate purporting to be signed by the registrar and bearing the common seal of the Board to the effect that a person is or is not registered under this Act shall be *prima facie* evidence of the facts stated therein.

35. Any person who sells or delivers a drug or device, except if it is properly labelled as provided for in this Act or in any other Act, is guilty of an offence. Labelling.

36. No person who sells an article in violation of this Act shall recover any charges in respect of the sale. Charges for improper sale not recoverable.

37. The registrar shall, on request, transmit to the Minister a return setting forth any information and particulars which the Minister requires concerning the Board or any matter arising under this Act, in so far as such information is within the knowledge of the registrar. Return by registrar to Minister.

38. Save as provided in this Act any manufacturer, importer, wholesaler, jobber or agent who sells any drug or device to any person, firm or corporation other than— Restriction on sale of drugs and devices.

(a) a medical practitioner;
(b) a dentist;
(c) a pharmacist or a licensed pharmacy;
(d) a veterinary surgeon;
(e) a public hospital or a licensed private hospital;
(f) a manufacturer, importer, wholesaler, jobber or agent dealing in drugs;
(g) an institution or agency approved in writing by the Minister,

is guilty of an offence. However, nothing herein contained shall be deemed to interfere with the business of wholesale dealers lawfully supplying industrial chemicals or other articles in the ordinary course of wholesale dealing if the articles are not manufactured, sold or represented for use as drugs.

38A. (1) There is payable to the registrar for the use of the Board the fees prescribed by Regulations made under section 40 in respect of the matters specified in the said Regulations. Fees. [42 of 1981].

(2) Until the prescribed fee has been paid the registrar may decline to do any act, or to permit any act to be done, or to receive any document, in respect of which that fee is payable.

39.** ***(Repealed by Act No. 42 of 1981).

Regulations. [42 of 1981 25 of 2003 18 of 2006].

40. (1) The Minister may, from time to time after consultation with the Council, make Regulations for carrying out the purposes of this Act and for giving full effect to its provisions and without limiting the generality of the foregoing, with respect to—

(a), *(b)* ***(Deleted by Act No. 18 of 2006);***

(bb) the course of training to be followed by pharmacy assistants;

(c) the conditions under which candidates may take examinations;

(d) the standards of proficiency which candidates must reach in the examinations before they may be registered as pharmacists under this Act;

(dd) providing for the approval by the Council of persons who may be registered as pharmacists without examination and prescribing the qualifications of such persons;

(e) the payment and amount of registration fees, annual fees and examination fees to be paid by members, non-resident and non-practising members of the Pharmacy Board and by pharmacy assistants and holders of temporary licences to practice;

(f) the licensing and registration of pharmacies and the amount of the licence fee to be paid in respect thereof;

(g) the depositing and disbursement of the funds of the Board;

(h) the issue of certificates of registration and certificates of membership of the Board and the display of the certificates by practising members;

**See* Note at page 2 on Act No. 42 of 1981 which repealed section 39.

(ha) the issue of certificates of registration of pharmacy assistants;

(i) the time and place for the holding of meetings of the Board, notices thereof, and the business to be transacted;

(j) the procedure to be followed at and the quorum for all meetings of the Board;

(k) the time, place and manner of holding elections and of making and receiving nominations for election to the Council;

(l) the keeping and auditing of accounts of the Board;

(m) the amendment of the First, Second and Third Schedules; First, Second and Third Schedules.

(n) prescribing forms to be used for the purposes of this Act;

(o) the prescribing of anything that is authorised or required to be prescribed under this Act.

(2) Regulations made under this section may prescribe in respect of any contravention thereof a penalty not exceeding a fine of five thousand dollars or imprisonment for one year on summary conviction.

41. (1) Any person who, contrary to this Act or to any Regulations made thereunder— Penalties. [42 of 1981 25 of 2003].

(a) sells, offers for sale or keeps for sale;

(b) dispenses or compounds; or

(c) fails to keep records as required by this Act or the Regulations in respect of the sale of any drugs; or

(d) knowingly sells any poison or drug under the representation or pretence that it is a particular poison or drug that it is not, or contains any substance that it does not contain; or

(e) sells by retail, compounds or dispenses without a prescription given therefor a drug which he is

required by any provision of this Act or any Regulations made thereunder or by any other enactment to dispense only on prescription signed by a medical practitioner,

is guilty of an offence and liable on summary conviction for a first offence to a fine of five thousand dollars or to a term of imprisonment for one year and for each subsequent offence to a fine of ten thousand dollars or to a term of one year imprisonment.

(2) Any person guilty of an offence under this Act for which no penalty is otherwise provided is liable on summary conviction to a fine of five thousand dollars and, if the offence is a continuing one, to a further fine not exceeding one hundred dollars for every day during which the offence is continued after written notice thereof from the Council.

(3) If a body corporate commits an offence under this Act or under any Regulations made under section 40, every director and every person concerned in the management of the body corporate with whose knowledge, authority, permission or consent the act constituting the offence took place, himself commits an offence, and is liable on summary conviction to a fine not exceeding that imposed on the body corporate.

(4) If any person is convicted of any offence under section 25, 26, 27, 27A, 27C(2) or 28B the Court may, in addition to any penalty it imposes—

(a) order that the carrying on of the business be discontinued, absolutely or for a period fixed by the Court, either by closing the premises or in any other manner deemed suitable by it to ensure effective discontinuance;

(b) order the person sentenced to refrain in that business from any act specified in the order,

and a person who does not comply with a Court order under this subsection is liable to a fine of one thousand dollars or to imprisonment for a term of six months and to a fine of fifty dollars in respect of every day that the offence continues after service of the order.

Duty of nurses. [42 of 1981].

42. Nothing in this Act shall render unlawful the administration, with the approval and under the supervision of a member of the Medical Board, by any registered nurse of any drug to any patient.

Exemptions. [42 of 1981].

43. Nothing in this Act—

(a) shall affect or interfere with the rights or privileges conferred upon a medical practitioner by the Medical Board Act; Ch. 29:50.

(b) shall render unlawful the selling by any person of any drug or device to a medical practitioner, dentist, veterinary surgeon or pharmacist;

(c) shall render unlawful the compounding, supplying in reasonable quantities or administering by a medical practitioner or dentist of such drugs or devices as may in the course of the practice of his profession be rendered urgently necessary for the treatment of his patient;

(cc) shall render unlawful the compounding, supplying or administering by a medical practitioner of such drugs or devices, as he may require for the purpose of carrying out medical research;

(d) shall render unlawful the compounding, supplying in reasonable quantities or administering by a veterinary surgeon of such veterinary medicine as may in the course of the practice of his profession be rendered urgently necessary for the treatment of an animal;

(e) shall render unlawful the carrying on of the business of wholesale dealers in supplying drugs or devices to persons entitled to sell them by retail, provided the containers in which they are supplied are marked or labelled in accordance with the provisions of this Act, or of any other Act;

(f) shall render unlawful the compounding, dispensing or supplying of drugs or devices in

any hospital or in any institution approved or licensed under any Act or by the Minister.

Payment of fees, allowances and travelling expenses. [42 of 1981].

43A. (1) The Council may pay out of funds of the Council the reasonable travelling expenses of any member of the Council, or of the registrar, or of any officer or employee of the Council, or of any member of the Board attending a meeting of the Council or of any committee of the Council, or by the authority of the Council attending any conference or convention or being engaged in any matter of business of the Council, or for any other purpose approved by the Council.

(2) The member of the Council may also be paid such further fees and allowances as may be fixed by the Council with the consent of the Minister.

Authority to prosecute. [172/1961 136/1976 42 of 1981].

44. No prosecution shall be instituted for any offence against this Act unless the prosecution has been authorised in writing by the Director of Public Prosecutions.

Legal assistance.

45. In the prosecution of any person for any offence committed against this Act, the Council may, if it thinks fit, employ or instruct any Attorney-at-law to appear and prosecute for any such offence, and to apply any part of the funds of the Board towards the payment and remuneration of the Attorney-at-law.

Fines for use of the Board.

46. Any moneys payable upon a conviction under this Act shall be paid to the Court, which shall cause the sums to be paid to the Secretary on behalf of the Board.

Amendment of Schedules. [12 of 1998].

47. (1) The Minister may, by Order, after consultation with the Council of the Pharmacy Board, amend the Schedules.

(2) Every Order made under subsection (1) shall be subject to the negative resolution of Parliament.

FIRST SCHEDULE

Section 26.

Alum
Bicarbonate of Soda
Benzol
Carbon Bisulphide
Cotton Root
Cream of Tartar
Camphor
Chlorinated Lime
Chloride of Lime
Cochineal
Essence of Peppermint
Formaldehyde Solution
Glucose
Incense
Linseed
Mineral or Paraffin Oil
Oil of Cedar
Potassium Hydroxide
Petroleum Jelly
Rosin
Rock Sulphur
Saltpetre
Sodium Chloride
Sodium Hydroxide
Talc
Turpentine
Tobacco Extract

SECOND SCHEDULE

Sections 29 and 31. [12 of 1998].

DRUGS

- Enteric Coated Aspirin
- Paracetamol
- Andrews Liver Salts
- Enos Fruit Salts
- Epsom Salts
- Senna leaves and pods
- Throat pastilles and Tablets
- Optrex eye lotion
- Methyl Salicylate Compound rubs/gels
- Absorbine
- Sacrool
- Milk of Magnesia
- Beef Iron and Wine
- Codol
- Ferrol
- Sanatogen tablets and powder
- Dettol
- Savlon
- Listerine
- Hydrogen Peroxide

- Cough mixtures without antihistamines and/or narcotics and not containing any drug required to be sold on prescription only
  Non prescription vitamins without minerals
- Boric Acid Powder (in sealed vials)
- Zinc Oxide Powder (in sealed vials)
- Calamine Lotion
- Lion Oil
- Tiger Balm and Oil
- Canadian Healing Oil
- Cod Liver Oil
- Friars Balsam
- Tincture of Iodine (not exceeding 1% of Iodine)
- Glycerine
- Gentian Violet
- Acriflavine
- Mercurochrome

Patent and Proprietary medicines approved by the Minister and Council of the Pharmacy Board and not containing any drug required to be sold on prescription only or any narcotic drug within the meaning of the Dangerous Drugs Act, Ch. 11:25.

DEVICES

- Zinc Oxide plaster
- Cotton Wool
- Lint
- Bandages (plain and medicated and not containing any drug required to be sold on prescription only)
- Elastic Adhesive plaster (plain and medicated and not containing any drug required to be sold on prescription only).

THIRD SCHEDULE

Section 32.

PART I

Aconite or alkaloids or preparations thereof except external preparations containing less than 0.2 per cent aconitine

Alkaloids or Glycosides: all poisonous vegetable alkaloids or glycosides not specifically mentioned elsewhere in these Schedules or their salts or all poisonous derivatives thereof

Amyl Nitrite

Antimony or compounds

Arsenic or preparations or compounds thereof, except as provided in Part II of this Schedule

Atropine or its salts and internal preparations containing more than 0.13 mg per stated dose or other preparations containing more than 0.1 per cent by weight

Belladonna or preparations or compounds thereof except plasters and except as provided in Part II of this Schedule

Cantharides or its derivatives or preparations

Carbon disulfide

Chloroform, except when in internal preparations as therapeutic ingredient or preservative

Conium or preparations thereof

Cottonroot, the oil, derivatives or preparations

Croton oil

Cyanides, other than complex salts thereof

Digitalis, its glycosides, or preparations of either Emetine

Ergot alkaloids or Extracts Tinctures

Ether, except Commercial

Ethyl Chloride

Glycosides or Alkaloids: all poisonous vegetable alkaloids or glycosides not specially mentioned elsewhere in these Schedules or their salts of all poisonous derivatives thereof

Henna Berries

Hydrocyanic (Prussic) acid

Hyoscyamis or preparations or compounds thereof, except as provided in Part II of this Schedule

Hyoscine (Scopoloamine) or its salts and internal preparations containing more than 0.325 mg per stated dose or inhalant preparations containing more than 0.05 per cent by weight

Lobelia or alkaloids or preparations thereof, except internal preparations containing not more than the equivalent of 2 mg per stated dose of lobeline and external preparations containing not more than the equivalent of 6 grains per stated dose of crude lobelia

Mercurial Salts, except Calomel

Mercury, oxides thereof

Nitroglycerin, except in tablet form

Nux Vomica or preparation thereof

Oil of Bitter Almonds, unless deprived of Hydrocyanic (Prussic) Acid

Oil of Croton

Oxalic Acid

PART I—*Continued*

Oil of Wintergreen or Methyl Salicylate, except when in internal preparation solely as a flavouring agent or in aerosol preparations as a fragrance

Pennyroyal, the oil, derivatives or preparations

Phenol (Carbolic Acid), except in preparations or 5 per cent or less

Picrotoxin

Potassium Antimonyltartarate (Tartar Emetic) except when in internal preparations as a therapeutic ingredient containing not more than 3.3 mg per stated dose

Potassium Chlorate

Potassium Permanganate or preparations thereof

Rue, the oil, derivatives or preparations

Santonin, except when in internal preparations as a therapeutic ingredient containing not more than 65 mg per stated dose

Savin, the oil, derivatives or preparations

Selenium or any salt thereof or preparations containing selenium or any salt thereof

Sodium Chlorate

Sodium Fluoride (when greater than 5 per cent)

Stramonium or preparations thereof, except when in internal preparations as a therapeutic ingredient containing not more than 0.16 mg per stated dose

Strophanthus or preparations thereof

Strychnine or its salts in preparations containing the equivalent of 2 per cent or more or strychnine alkaloids

Tansy, the oil, derivatives or preparations

Yohimbine, or its alkaloids or preparations

PART II

Acetanilide (except) when not more than 65 mg per stated dose
Acid Acetic (33 per cent or stronger)
Acid Chromic or its salts
Acid Hydrochloric
Acid Nitric
Acid Phosphoric
Acid Picrie (Trinitrophenol)
Acid Sulphuric
Arsenic when combined with other medicinal ingredients in recognised therapeutic dosage forms and when in doses not exceeding those generally recognised as safe medication
Atropine or its salts and internal preparations containing not more than 0.13 mg per stated dose or other preparations containing not more than 0.1 per cent weight
Barium salts, water soluble, including chloride and sulphide
Belladonna when combined with other medical ingredients in recognised therapeutic dosage forms and when in doses not exceeding those generally recognised as safe medication.
Bromides, salts, compounds or derivatives
Cedar oil from leaf or wood
Chenopodium or preparations
Colchium or Colchicine
Copper salts or compounds, except in trace amounts
Creosote or preparations thereof
Cresol (Cresylic Acid) or its preparations, the homologues of Cresol or their preparations when stronger than 5 per cent Cresol
Digitalis or derivatives
Ephedrine, or its salts, except when in inhalant form or in internal preparations containing not more than 11 mg per stated dose
Guaiacol, except when in internal preparations as a therapeutic ingredient
Hyoscine or its salts and internal preparation containing not more than 0.325 per stated dose
Iodides, salts or compounds, except in trace amounts
Iodine or preparations thereof
Iodoform
Lead salts or preparations
Mercurous Chloride (Calomel)
Mercury
Mercury with chalk
Nitrobenzene (when labelled as such or as notrobenzol or as oil or Mirbane, and when the label bears the name of the pharmacy in which sale is made and the following wording "Poison"—This chemical is poisonous when taken internally, inhaled or in contact with the skin. Handle with care and avoid skin contact and inhalation of vapours
Nitroglycerine in tablet form
Phenol in preparations under 5 per cent
Phosphorous in free state
Potassium Hydroxide
Potassium Nitrite
Rubbing alcohol compound
Sabadilla seeds
Silver salts or preparations
Sodium Hydroxide
Sodium Nitrite
Stavesacre
Strychnine when combined with other medicinal ingredients in recognised therapeutic dosage forms and in doses not exceeding those generally recognised as safe medication
Zinc salts except in trace amounts.

FOURTH SCHEDULE

(Repealed by implication by section 7 of Act No. 18 of 2006)

FIFTH SCHEDULE

FORM 1

REPUBLIC OF
TRINIDAD AND TOBAGO

The Pharmacy Board Act, (Ch. 29:52)
(Section 31)

APPLICATION TO SELL DRUGS LISTED OR DESCRIBED IN THE SECOND SCHEDULE

To: The Minister of Health

I .....
(Name of Applicant)

of .....
(Address of Applicant)

do hereby apply for a licence to sell the drugs listed or described in the Second Schedule to the Pharmacy Board Act (Ch. 29.52) at the premises situated

at.....
(Address of Shop)

known as .....
[Name of Establishment (i.e., Shop, Grocery or Supermarket) if any]

Dated this ..... day of ..... 20 .....

Signed .....
(Signature of Applicant)/(Signature of Agent acting for and on behalf of Applicant)

FORM 2

REPUBLIC OF
TRINIDAD AND TOBAGO

The Pharmacy Board Act, (Ch. 29:52)
(Section 31)

LICENCE TO SELL DRUGS LISTED OR DESCRIBED IN THE SECOND SCHEDULE

This is to certify that .....
(Name of Licensee)

of .....
(Address of Licensee)

trading as .....
[Name of Establishment (i.e., Shop, Grocery or Supermarket) if any]

is hereby licensed to sell the drugs listed or described in the Second Schedule to the Pharmacy Board Act (Ch. 29:52) at the premises situated

at .....
(Address of Shop)

known as .....
[Name of Establishment (i.e., Shop, Grocery or Supermarket) if any]

This Licence is valid for the year 20 .....

The sum of ..... dollars has been paid for this licence.

_____

$ _____

Dated this ..... day of ..... 20.....

Signed .....
(County Medical Officer of Health
For and on behalf of the Minister of Health)

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PHARMACY BOARD REGULATIONS

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PHARMACY BOARD REGULATIONS

made under section 40

214/1988.
[2/1990
5/1999
35/2000
128/2004
236/2005
2/2006
18 of 2006].

1. These Regulations may be cited as the Pharmacy Board Regulations. Citation.

2. In these Regulations— Interpretation.

"photograph" means a recent photograph of the passport type showing full front view of the head and shoulders, without head covering, taken against a plain white background, and measuring not more than sixty millimetres by forty-eight millimetres nor less than forty-eight millimetres by thirty-six millimetres;

"practical training in pharmacy" means a course of practical training in pharmacy under the direct supervision of a pharmacist attached to an approved pharmaceutical establishment;

"testimonial" means a written statement in favour of the character of an applicant given under the hand of—

(a) a member of the Board;

(b) a member of the Medical Board of Trinidad and Tobago;

(c) a dentist registered under the Dental Profession Act; Ch. 29:54.

(d) a veterinary surgeon registered under the Veterinary Surgeons Registration Act; or Ch. 67:04.

(e) other professional person acceptable to the Council,

and indicating the circumstances enabling the person giving such written statement to form any opinions therein expressed.

PHARMACEUTICAL STUDENTS

3. (1) No person may be registered by the Council as a pharmaceutical student unless he— Registration of pharmaceutical students.

(a) applies to be registered as such;

(b) has produced a testimonial satisfactory to the Council;

(c) has gained—

(i) a pass at advanced or an equivalent level in chemistry; and

(ii) passes at ordinary or an equivalent level in English language, mathematics, biology, and physics, and at least one other subject,

in an examination specified in subregulation (3) and recognised for the purpose of registration as a pharmaceutical student; and

(d) has paid the fee prescribed at item *(a)* in the Second Schedule for registration as a pharmaceutical student.

Second Schedule.

(2) An application for registration as a pharmaceutical student shall be made in the form set out as Form A in the First Schedule and shall be addressed to the Secretary.

Form A. First Schedule.

(3) The following examinations are recognised for the purposes of subregulation (1)*(c)*:

(a) the Cambridge School Certificate Examination;

(b) the General Certificate of Education Examination;

(c) the Caribbean Examination Council's Examination;

(d) any other examination leading to the grant of a certificate or a diploma recognised for the time being by the Ministry of Education as an examination equivalent to an examination specified at paragraph *(a)*, *(b)* or *(c)*.

(4) All persons who, immediately before the commencement of these Regulations, were registered as pharmaceutical apprentices are entitled to be registered as pharmaceutical students, and the names of all such persons shall, without application, be entered by the registrar on the Register of Pharmaceutical Students; however, pending the entry of their

names, they shall be deemed to be duly registered as pharmaceutical students and, upon the entry of the last such name in the Register of Pharmaceutical Students, the Register of Pharmaceutical Apprentices shall be closed.

Contents of Register of Pharmaceutical Students. [18 of 2006].

4. The registrar shall keep and maintain the Register of Pharmaceutical Students in a form showing the following particulars in respect of each person who is registered as a pharmaceutical student:

(a) his name and address;

(b) his date of birth and nationality;

(c) his qualification and the school or institution at which he is admitted as a pharmaceutical student; and

(d) the date of his registration,

and a person is so registered if his name appears in the register so kept.

Removal of names from Register of Pharmaceutical Students.

5. (1) The registrar shall remove from the Register of Pharmaceutical Students the name of a pharmaceutical student—

(a) if the student registers as a pre-registration pharmacist or as a pharmacist;

(b) if the student so requests in writing;

(c) if the student dies; or

(d) if the Council so directs.

(2) The Council may, after due inquiry, direct the registrar to remove from the Register of Pharmaceutical Students the name of any pharmaceutical student if the student—

(a) is convicted by any Court in Trinidad and Tobago or elsewhere of an offence involving fraud or dishonesty; or

(b) is convicted of any offence under the Act.

(3) *(a)* In the exercise of its functions under subregulation (2), the Council may dispose of any matter solely

on the basis of documentary evidence, written reports and any written representations submitted on behalf of the pharmaceutical student or may hear oral testimony and representations in its discretion.

(b) Where the Council hears oral testimony, the pharmaceutical student may at his option and at his own cost be represented by an Attorney-at-law.

(4) If at any time after the expiration of seven years from the date of registration of a pharmaceutical student the registrar sends by prepaid registered post a letter addressed to the student at his stated address in the Register enquiring whether he has changed his address or has ceased to pursue a course of training as a pharmaceutical student and the registrar receives no reply thereto within twenty-eight days of the date of the letter, the Council may direct the registrar to remove from the Register of Pharmaceutical Students the name of the student.

(5) Where a name is entered in the Register of Pharmaceutical Students pursuant to regulation 3(4), for the purposes of subregulation (4), the period of seven years therein mentioned shall accrue from the date of entry of that name in the Register of Pharmaceutical Apprentices maintained under the Pharmacy Board Regulations repealed by these Regulations.

GN 37/1967.

Restoration of names to Register of Pharmaceutical Students.

6. The Council may direct the registrar to restore to the Register of Pharmaceutical Students the name of any person removed therefrom by direction of the Council.

Minimum age for registration.

7. A person under the age of eighteen years may be registered as a pharmaceutical student or as a pre-registration pharmacist but will be eligible for registration as a pharmacist only when he attains the age of eighteen years.

PRE-REGISTRATION PHARMACISTS

Registration of pre-registration pharmacists. [18 of 2006].

8. (1) No person may, be registered by the Council as a pre-registration pharmacist unless—

(a) he applies to be registered as such; and

(b) he has served as a pharmaceutical student while undergoing a course of practical training in pharmacy for at least six months and not exceeding two years after being registered as a pharmaceutical student.

(2) An application for registration as a pre-registration pharmacist shall be made in the form set out as Form B in the First Schedule and shall be addressed to the Secretary.

Form B First Schedule.

(3) For the purposes of subregulation (1), any period of practical training undergone as a pharmaceutical apprentice under the Pharmacy Board Regulations repealed hereunder shall be included in computing the total period of practical training undergone as a pharmaceutical student.

GN 37/1967.

9. ***(Repealed by implication by section 5 of Act No. 18 of 2006).***

Removal of names and the restoration of names to the Register of Pre-registration Pharmacists.

10. Regulation 5 [other than subregulation 5(1)*(a)*] and regulation 6 apply, *mutatis mutandis* to pre-registration pharmacists as they apply to pharmaceutical students respecting the removal of the names of pre-registration pharmacists from and the restoration of the names of pre-registration pharmacists to the Register of Pre-registration Pharmacists; however, the registrar shall also remove from the Register of Pre-registration Pharmacists the name of a pre-registration pharmacist or the registration of the pre-registration pharmacist as a pharmacist.

Prescribed period of pre-registration experience.

11. (1) For the purposes of subsections 18(1)*(c)* and 18(2) of the Act, a pre-registration pharmacist may not be registered as a pharmacist unless he has undergone pre-registration experience for a period of six months after being registered as a pre-registration pharmacist.

Form C. Form D. First Schedule.

(2) A declaration for the purposes of section 18(1)*(c)* of the Act shall be in the form set out as Form C or Form D in the First Schedule.

PHARMACY ASSISTANTS

Registration of pharmacy assistants. [236/2005 2/2006].

11A. (1) A person wishing to apply to be a pharmacy assistant shall apply to the Council for such registration.

(2) The Council shall register any person as a pharmacy assistant where such person—

(a) applies to be registered as such;

(b) has produced a testimonial satisfactory to the Council;

(c) obtained three O'level subjetcs at the Caribbean Examination Council examination or the General Certificate of Education examination, one of which shall be English and one which shall be a numeric subject;

(d) successfully completed the pharmacy assistant training programme established by the Ministry of Health; and

(e) has paid the prescribed fees for registration as a pharmacy assistant.

First Schedule Form M.

(3) An application for registration under subregulation (1) as a pharmacy assistant shall be in the form set out as Form M in the First Schedule, and shall be addressed to the Secretary.

REGISTER OF PHARMACY ASSISTANTS

Contents of register of pharmacy assistants. [236/2005 18 of 2006].

11B. (1) The registrar shall keep and maintain the register of pharmacy assistants required by section 17(1)*(d)* of the Act in a form showing the following particulars in respect of each person who is registered as a pharmacy assistant:

(a) name and address;

(b) date of birth;

(c) qualifications;

(d) the date of registration as a pharmacy assistant; and

(e) the name and business address of the approved pharmaceutical establishment.

(2) A person shall be deened to be registered when his name appears in the register referred to in subregulation (1).

Removal of names from the register of pharmacy assistants. [236/2005].

11C. (1) The Council may, after due enquiry, direct the registrar to remove from the register of pharmacy assistants, the name of any person where such person is—

(a) convicted by any Court in Trinidad and Tobago or elsewhere of an offence involving fraud or dishonesty; or

(b) found to be guilty of any infamous or disgraceful conduct or professional negligence.

(2) In the exercise of its functions under this regulation, the Council may dispose of any matter soley on the basis of documentary evidence, written reports and any written representations submitted on behalf of a pharmacy assistant or may hear oral testimony.

(3) Where the Council hears oral testimony, a pharmacy assistant, may at his option and at his own cost, be represented by an Attorney-at-law.

(4) The registrar shall remove from the register of pharmacy assistants, the name of any person—

(a) upon the direction of the Council under subregulation (1);

(b) where the person—

(i) so request in writing;

(ii) dies; or

(iii) is outside of Trinidad and Tobago for a period of two consecutive years.

(5) Where a person referred to in subregulations (4)*(b)*(i) and (iii) wishes his name to be restored to the register of pharmacy assistants, he may apply to the Council for such restoration.

Restoration of names to the register of pharmacy assistants. [236/2005].

11D. The Council may direct the registrar to restore to the register of pharmacy assistants, the name of any person that has been removed under regulation 11C.

PHARMACISTS

Application for registration as pharmacist.
Form E. First Schedule.
Second Schedule.

12. (1) Every application for registration as a pharmacist by a person who is eligible to be registered under section 18 of the Act shall be made to the Council in the form set out as Form E in the First Schedule and shall be accompanied by the registration fee prescribed at Item (*b*) in the Second Schedule and, if the applicant satisfies the requirements of section 18 of the Act, the Council shall direct that he be registered as a pharmacist.

Form F. First Schedule.

(2) The registrar shall issue to every person registered in accordance with subregulation (1) a Certificate of Registration in the form set out as Form F in the First Schedule.

Registration of pharmacists from outside Trinidad and Tobago.
Form E. First Schedule.

13. (1) Where a person to whom section 18A of the Act applies desires to be licensed to practise pharmacy, he shall forward to the Council—

(a) an application in the form set out as Form E in the First Schedule;

(b) a testimonial;

(c) evidence of his qualification; and

(d) a photograph of the applicant.

Second Schedule.
Form F. First Schedule.

(2) Where the qualification of a person to whom subregulation (1) applies is approved by the Council, then the Council may, upon payment by him of the fee prescribed at Item *(d)* in the Second Schedule and being satisfied with his testimonial, his fluency in English, and his mental and physical capability to perform the duties of a pharmacist, authorise the registrar to issue to that person a temporary licence in the form set out as Form F in the First Schedule subject to terms and conditions specified therein to practise pharmacy.

Second Schedule.

(3) In the case of an application to which subregulation (2) relates the registration fee prescribed in the Second Schedule is payable upon the applicants being notified that his application has been successful.

Duplicate licences.

14. After the initial issue of a Certificate of Registration or a temporary licence to practise to any person, there shall be no

obligation on the registrar to issue a further such certificate or licence to that person unless he—

(a) satisfies the registrar that the original certificate or licence and any further certificate or licence previously issued have been lost or destroyed; and

(b) pays the fee prescribed at Item *(c)* in the Second Schedule for a duplicate. Second Schedule.

PRACTICE CERTIFICATE

15. (1) Every person who is registered as a pharmacist under the Act and who intends to practise or conduct any business as a pharmacist in Trinidad and Tobago in any year shall on or before 15th January of that year pay to the registrar a fee (referred to below as "the annual retention fee") in the amount prescribed at Item *(f)* in the Second Schedule. Annual retention fee and practising certificate. Second Schedule.

(2) Upon the payment of the annual retention fee, the registrar shall issue a certificate (in this Regulation referred to as a "practising certificate") in the form set out as Form H in the First Schedule authorising the pharmacist named therein to practise as a pharmacist during the year indicated in the practising certificate. Form H. First Schedule.

(3) A pharmacist may not practise except while holding a valid and subsisting practising certificate which certificate shall remain in force until 14th January next following the calendar year for which it was issued.

(4) A pharmacist who not being the holder of a valid and subsisting practising certificate, practises as a pharmacist or conducts any business as a pharmacist is liable on summary conviction to a fine of one thousand dollars.

(5) Where a pharmacist is convicted of an offence under this regulation, the registrar shall, if the Council so directs, remove the name of the pharmacist from the Register of Pharmacists.

(6) A pharmacist whose name is removed from the Register of Pharmacists pursuant to subregulation (5) may apply to the registrar to have his name restored to the Register and upon

payment of the annual retention fee and all arrears of annual retention fees payable by him, his name shall, if the Council so directs, be restored to the Register of Pharmacists.

Registration of holders of temporary licences.

16. (1) The registrar shall enter in a separate section of the Register of Pharmacists the name of every person who, pursuant to section 18A of the Act, has been issued a temporary licence to practise pharmacy.

(2) Where a person who is issued a temporary licence fails to comply with the terms and conditions applicable to that licence, the person's name may, upon direction of the Council, be removed by the registrar from the Register of Pharmacists.

Manner of keeping Register of Pharmacists.

17. (1) The registrar shall cause to be entered in the Register of Pharmacists the following particulars of each pharmacist or each person issued a temporary licence to practise pharmacy:

(a) his name and address;

(b) his date of birth;

(c) his qualifications at the date of registration entitling him to registration and the institutions at which he had received his training; and

(d) the date of his registration as a pharmacist or the date of issue of his temporary licence,

and every entry shall be given a registration number.

(2) The registrar shall from time to time make any necessary alterations with respect to the addresses or qualifications of registered pharmacists or persons issued temporary licences and shall cancel in the Register the names of all persons who have died or who have ceased to be qualified or whose names have been directed to be removed from the Register pursuant to section 20 of the Act or pursuant to regulation 15; however, the registrar shall, before removing the name of any pharmacist or person issued a temporary licence from the Register of Pharmacists, otherwise than in pursuance of a direction from

the Council, be satisfied that the pharmacist or such person has, if possible, had an opportunity to show cause before the registrar why his name should not be removed from the Register.

Non-practising fee.

18. A pharmacist who does not intend to practise or to conduct any business as a pharmacist in Trinidad and Tobago in any year may before the last day of January in that year pay to the registrar the fee prescribed at Item *(g)* and designated a "non-practising fee" in the Second Schedule instead of the fee mentioned in regulation 15 and be entitled to have his name retained in the Register of Pharmacists during the period in respect of which the fee was paid.

Second Schedule.

PHARMACIES

Construction and equipment of pharmacies.

19. (1) Every pharmacy shall be so constructed and equipped that—

(a) it contains a prescription laboratory in a well-defined area having a floor area of not less than nine square metres where drugs and poisons can be stored and prescriptions can be compounded;

(b) the premises are free from every condition that may—

(i) be dangerous to health;

(ii) injuriously affect its efficient operation; or

(iii) injuriously affect the drugs prepared, compounded, dispensed, or stored therein;

(c) adequate space is provided for keeping wearing apparel of employees; and

(d) all rooms and passageways are well lighted and ventilated.

(2) Every pharmacy shall be provided with—

(a) an adequate supply of water for the efficient operation of the pharmacy;

(b) facilities for washing articles and equipment used in the preparation, service or storage of drugs;

(c) a prescription counter measuring not less than one and a half metres by nine hundred millimetres for the purpose of free working space;

(d) an efficient system of filing prescriptions; and

(e) sufficient containers with covers for storing refuse in a sanitary manner.

(3) In every pharmacy—

(a) suitable racks or shelves shall be provided for the storage of drugs and no shelves or racks shall be placed less than six hundred millimetres above the floor; and

(b) all furniture, equipment and appliances in any room in which drugs are prepared, compounded, dispensed or stored shall be so constructed and arranged as to permit thorough cleaning and the maintenance of the room in a clean and sanitary condition.

Maintenance of pharmacies.

20. Every pharmacy shall be so maintained that—

(a) every room where drugs are prepared, compounded, dispensed or stored is kept free from materials and equipment not regularly used in that room;

(b) every storage room is kept clean and in a sanitary condition;

(c) all refuse containers are kept in such a place and manner as to preclude odours on the premises;

(d) all refuse and waste are removed from the premises at least three times weekly and more often, if necessary, to maintain a sanitary condition; and

(e) all containers of refuse, when filled are removed from any room in which drugs are prepared, compounded, dispensed or stored and, unless a daily collection service is provided, are placed in a separate room.

Licence to use premises as pharmacy, application and fees.
Form I.
First Schedule.

21. (1) Any person desiring to secure a licence to use any premises for carrying on business as a pharmacy may apply to the Council in the form set out as Form I in the First Schedule and shall forward to the Council with his application two duplicate copies of a photograph certified by a member of Parliament or a member of a Municipal Corporation or Justice of the Peace, Medical or Legal Practitioner, Established Civil Servant, Bank Official, Police Officer or any person of similar standing to be a true likeness of the applicant.

(2) Where the ownership of the pharmacy or proposed pharmacy is a body corporate or sole proprietorship or partnership, the applicant shall designate a pharmacist as manager responsible for day to day control of the pharmacy business and shall forward to the Council two copies of a photograph of that pharmacist which are certified in the manner provided in subsection (1) together with his name and such further particulars as may be required by the Council.

(3) Where subregulation (2) applies, the application shall be signed by the pharmacist designated as manager.

(4) Every application for a pharmacy licence shall be accompanied by the application fee prescribed at Item *(h)* in the Second Schedule.

Second Schedule.

(5) Subject to compliance with the requirements of regulation 20, the Council may licence any premises as a pharmacy and register the applicant as the proprietor of the business pursuant to an application made under subregulation (1) and may from time to time renew any such registration and, upon any such registration or renewal, as the case may be, issue a licence to the proprietor of the business carried on in the pharmacy in the form set out as Form J in the First Schedule.

Form J.
First Schedule.

Pharmacy licence fee.

22. (1) There shall be paid in respect of the grant of a pharmacy licence the fee prescribed at Item *(j)* in the Second Schedule.

Second Schedule.

(2) There shall be paid not later than the last day of the month of January in each year the fee prescribed at Item *(k)* in the Second Schedule in respect of the renewal of a pharmacy licence for that year.

Second Schedule.

Register of licensed pharmacies.

23. (1) Where, pursuant to regulation 21(5), the Council licences any premises, the registrar shall enter in the Register of Licensed Pharmacies—

(i) the name under which the pharmacy is to be operated;

(ii) the address of the pharmacy;

(iii) the name and address of the licensed proprietor and, where section 27A(2) of the Act applies, the name of the person in whom the right of control is vested;

(iv) the name and address of the registered pharmacist in control of or managing the pharmacy;

(v) if the business is carried on by a partnership, the name, address, date of birth and nationality of every partner; and

(vi) if the business is carried on by a body corporate, the name, address, date of birth and nationality of every member of the board of directors and, in addition in the case of a private company, the name, address, date of birth, and nationality of every person holding or controlling directly or indirectly not less than 10 per cent of any class of the issued shares of the company;

(vii) the licence number;

(viii) the date of the licensing, or the renewal of the licensing, as the case may be; and

(ix) the date of expiry of the licence.

(2) The registrar shall keep and maintain up-to-date the Register of Licensed Pharmacies mentioned in subregulation (1) in accordance with information supplied to him in pursuance of sections 26 and 28 of the Act.

24. ***(Repealed by LN No. 35/2000).***

MEETINGS OF THE BOARD

Annual general meetings—Agenda.

25. (1) A general meeting of the Board shall be held in the month of February in each year at such time and place as the Council may appoint. At that meeting the Council shall report on all matters connected with the management, control and activities of the Council and of the Board for the preceding financial year, and shall present a financial report as well as the auditor's report.

(2) The meeting referred to in subregulation (1) shall be called the "annual general meeting". All other meetings shall be called "special general meetings".

(3) No member shall raise any matter at the annual general meeting unless he has given notice in writing of the matter to be raised not later than 15th January immediately preceding the meeting.

Special general meetings—Agenda.

26. (1) The Council may, whenever it thinks fit, convene a special general meeting of the Board; and shall convene a special general meeting on the requisition of not less than twenty members of the Board.

(2) The requisition shall state the objects of the meetings and shall be signed by the members making the requisition and deposited at the Head Office of the Board and may consist of several documents in like form each signed by one member or more than one member.

(3) If a meeting is not convened by the Council within thirty days from the date of the deposit of the requisition, a meeting may be convened by any twenty of the members who signed the requisition, but may not be held more than three months after that date.

Quorum at meetings.

27. No business may be transacted by any general meeting unless a quorum of members is present, and twenty members shall constitute a quorum.

President to be Chairman.

28. (1) The President shall preside as Chairman at all meetings of the Board.

(2) If at any meeting the President is not present within fifteen minutes after the time appointed for holding the meeting or if he is unwilling to act as Chairman, then the Vice-President shall act as Chairman and in the absence or inability to act of both the President and the Vice-President, the members present may choose one of their number to be Chairman.

Adjournment of meeting.

29. The Chairman may, with the consent of a meeting at which a quorum is present, adjourn the meeting from time to time and place to place, but no meeting may be adjourned for more than ten days, and no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

Notice of meetings.

30. (1) Seven days notice of every general meeting, other than an adjourned meeting, shall be sent to each member normally resident in Trinidad and Tobago.

(2) The notice shall specify the place, date and hour of the meeting and the general nature of the business to be transacted at the meeting, and may be sent or delivered to each member at his address recorded in the Register of Pharmacists.

Attendance and voting at meetings.

31. (1) Every member of the Board is entitled to be present at meetings of the Board but no member who has not paid the annual retention fees for the year in which any meeting is being held is entitled to vote thereat.

(2) Any question to be resolved at a general meeting may be decided by a simple majority vote, and voting shall, unless a secret ballot is demanded by a member entitled to vote, be by show of hands.

(3) The Chairman at every general meeting shall have an original as well as a second or casting vote.

ELECTION OF MEMBERS TO THE COUNCIL

General election of Council to be biennial.

32. (1) A general election shall be held biennially in the month of February for the return of persons to be elected by qualified pharmacists as members of the Council.

(2) No person may be elected to the Council unless he has previously been nominated as a candidate for election.

(3) In this regulation and in regulations 33, 34 and 38, "qualified pharmacist" means the holder of a subsisting practice certificate who has discharged his financial and other obligations to the Board.

Nomination and voting at elections.

33. (1) Every qualified pharmacist is entitled to nominate for election to the Council and to vote at any such election for as many persons as may be returned at the election but not more than one vote may be cast for any one candidate.

(2) No person may be nominated unless he consents in writing to the holding of office as a member of the Council.

Circular inviting nominations.

34. (1) On or before 15th December immediately preceding a general election, the secretary shall send to each pharmacist at his address on the Register of Pharmacists a circular inviting nominations for the election.

(2) A qualified pharmacist who wishes to nominate a person for election shall, on or before 15th January immediately preceding the election, submit to the secretary in writing the name and address of that person together with his consent to hold office if elected, and, on receipt thereof by the secretary, that person's nomination shall be effective.

Procedure where persons nominated less than or equal to vacancies.

35. (1) If the number of persons effectively nominated in accordance with regulation 34 does not exceed the number of persons to be elected, the secretary shall so certify to the Council and the persons so nominated shall, at the annual general meeting held in the election year, be declared by the Chairman to be duly elected to the Council.

(2) If the number of persons effectively nominated is less than the number of persons to be elected, the annual general meeting shall proceed to fill, by election, any vacancy in the membership of the Council remaining unfilled after a declaration in accordance with subregulation (1).

(3) Voting at the election of members to the Council held pursuant to subregulation (2) shall, notwithstanding regulation 31, be by ballot unless the meeting otherwise resolves; but at that election no provision of these Regulations requiring—

(a) nominations to be in writing or to be submitted on or before any specified day; or

(b) the consent of any person to be in writing,

applies, and no pharmacist shall, unless he is entitled to vote at that meeting, nominate any person for election.

Procedure where persons nominated exceed number of vacancies.

36. (1) If the number of persons effectively nominated in accordance with regulation 34 exceeds the number of persons to be elected, the Council shall convene a special general meeting of the Board for the election of members to the Council from the persons so nominated.

(2) Voting at that election shall be by ballot, but it is not necessary for a member to attend that meeting in order to vote.

Determination of duly elected members of Council.

37. At an election, where the number of persons effectively nominated exceeds the number of vacancies, the candidates corresponding to the number of vacancies and receiving the largest number of votes shall be declared duly elected, but if for the filling of the last vacancy two or more candidates have the same number of votes, the persons to be elected from among them shall be determined on a casting vote by the Chairman of the meeting at which the election is held.

Postal voting.

38. (1) For the purposes of enabling pharmacists to vote without attending the special general meeting (hereafter called "the election meeting") convened for the election of members to the Council, the secretary shall issue by post a ballot paper to each pharmacist.

(2) Before the issue of ballot papers by post, the secretary shall appoint a date, time and place for the issue of postal ballot papers (being not less than fourteen days prior to the date appointed for the election meeting), and shall give at least two days notice in writing thereof to each candidate.

(3) At the time and place fixed under subregulation (2), the secretary shall, in the presence of all candidates who appear either in person or by representatives acceptable to the Council, issue to every qualified pharmacist at his address recorded in the Register of Pharmacists a ballot paper.

Ballot papers.

39. A ballot paper shall contain the names and addresses of all persons duly nominated for election and shall be in such form and contain such direction with respect to voting as the Council may determine, and ballot papers shall be numbered and issued consecutively.

Ballot papers to be initialled by secretary.

40. As each ballot paper is issued, the secretary shall place his initials thereon and shall enter on a ballot list the number of the ballot paper and the name of the pharmacist to whom it is issued.

Ballot papers to be submitted by prepaid post.

41. Immediately after all ballot papers are issued the secretary shall send them by prepaid post for delivery as addressed.

Registering of postal vote.

42. Every pharmacist to whom a ballot paper is issued shall, if he wishes to vote at the election of members to the Council, register his vote by marking the ballot paper in accordance with the direction contained thereon and shall sign and return the ballot paper in a sealed envelope clearly marked "ballot"—

(a) to the secretary, either by prepaid registered post or by causing the same to be delivered to the secretary so as to reach him, in either case, before the time appointed for the election meeting; or

(b) to the election meeting, by personally attending and delivering the same before the meeting proceeds to the counting of votes.

Opening of postal votes.

43. The secretary shall deliver every envelope containing a ballot paper to the Chairman of the meeting who shall cause the same to be opened in the presence of scrutineers appointed in accordance with regulation 45.

Personal voting at elections.

44. (1) A pharmacist who is present at the election meeting and states before any ballot is opened that he has not received a ballot paper shall, if he is then entitled to vote, be issued a ballot paper for the purpose of voting, and shall, if he wishes to vote, then and there mark his ballot paper and return the same folded to the Chairman.

(2) Regulation 40 applies to the issue of a ballot under this regulation, but if the name of the pharmacist is already entered on the ballot list—

(a) the earlier entry shall be cancelled;

(b) the second ballot paper issued shall be marked "second"; and

(c) the scrutineers shall on examining all the ballots returned, reject any other ballot paper which was previously issued to the pharmacist.

Appointment of scrutineers.

45. (1) The Council shall appoint scrutineers for the purpose of a general election and persons so appointed are entitled to attend the election meeting whether or not they are pharmacists.

(2) If there is no scrutineer appointed by the Council present at the election meeting, the Chairman shall appoint not less than two members present as scrutineers.

(3) Notwithstanding regulation 27, the election meeting may proceed to business as long as there are not less than seven members present.

Vacancies on Council.

46. Where a vacancy or temporary vacancy occurs in the membership of the Council and that vacancy or temporary vacancy is required to be filled by the Board, the Council shall summon a meeting of the Board for the purpose of filling that

vacancy before the second quarterly meeting of the Council to be held after the date on which the vacancy or temporary vacancy occurred; and the election procedure at that meeting shall be the same as that provided in the case of an election to be held at the annual general meeting and regulation 35(3) applies thereto as it applies to an election held at the annual general meeting.

Vacancy to be filled by Minister or Medical Council.

47. Where a vacancy or temporary vacancy occurs in the membership of the Council and that vacancy is required to be filled by the Minister or the Medical Council, the secretary shall notify the Minister or the Medical Council in sufficient time to enable the vacancy or temporary vacancy to be filled before the second quarterly meeting of the Council to be held after the date on which the vacancy or temporary vacancy occurred.

GENERAL

Duties of secretary.

48. The duties of the secretary are—

(a) to receive all moneys on behalf of the Council and to give receipts therefor;

(b) to pay out moneys when directed by the Council in discharge of the obligations of the Board or of the Council;

(c) to keep books of accounts as may be approved by the Council and to present the books for audit annually;

(d) to cause minutes to be taken and read to all meetings of the Council and of the Board;

(e) to deposit all moneys of the Board in such Bank as may be approved by the Council; and

(f) generally to superintend and administer the affairs of the Board under the direction of the Council.

Appointment of auditor.

49. (1) The Board shall at each annual general meeting appoint an auditor to hold office as such until the next annual general meeting.

(2) The Council may fill any casual vacancy occurring in the office of auditor.

(3) No member of the Council may hold office as auditor.

(4) An auditor may be paid such fees as the Council determines.

Appointment of lecturers and examiners.

50. (1) The Council may appoint lecturers and examiners, but no member of the Council may be an examiner.

(2) Lecturers and examiners shall be paid such remuneration as the Council may from time to time determine.

Custody of Seal of Board.

51. The Seal of the Board shall be kept at the head office of the Board under the custody of the secretary and shall be affixed to all certificates of diplomas issued by the Council.

Fees.

Second Schedule.

52. There shall be paid to the Council in respect of the matters referred to in the second column of the Second Schedule to these Regulations the fees respectively specified in the third column of that Schedule opposite the reference to such matters.

FIRST SCHEDULE

[236/2005].

PRESCRIBED FORMS

FORM A — Application for Registration as a Pharmaceutical Student.

FORM B — Application for Registration as a Pre-Registration Pharmacist.

FORM C — Declaration by Pharmacist Approved by the Council.

FORM D — Declaration by Hospital or Pharmaceutical Industrial Establishment approved by the Council.

FORM E — Application for Licence as a Temporary Pharmacist.

FORM F — Certificate of Registration as a Pharmacist/Temporary Licence as a Pharmacist.

FORM H — Practising Certificate.

FORM I — Application for Pharmacy Licence.

FORM J — Pharmacy Licence.

FORM K — ***(Repealed by implication by LN No. 35/2000).***

FORM L — ***(Repealed by implication by LN No. 35/2000).***

FORM M — Application for Registration as a Pharmacy Assistant.

Regulation 3(2).

FORM A

(Pharmacy Board Act, Ch. 29:52)

APPLICATION FOR REGISTRATION AS A PHARMACEUTICAL STUDENT

(Attach two recent photographs of applicant)

To the Council of the Pharmacy Board of Trinidad and Tobago

I HEREBY APPLY for registration as a Pharmaceutical Student and for that purpose I submit the following information:

Name of Applicant .....
(In block letters)

Address of Applicant .....
(In block letters)

Age of Applicant .....Nationality .....
(Certified copy of birth certificate should be attached)

Qualification of Applicant .....

.....
(Photostats or certified copies of certificates should be attached when possible)

Name of parent or guardian (if under 18) .....

.....
(In block letters)

Address of parent or guardian (if applicable) .....

.....
(In block letters)

Dated this ..... day of ....., 20.....

.....
Signature of Applicant

FORM B Regulation 8(2).

(Pharmacy Board Act, Ch. 29:52)

APPLICATION FOR REGISTRATION AS A PRE-REGISTRATION PHARMACIST

(Attach two recent photographs of applicant)

To the Council of the Pharmacy Board of Trinidad and Tobago

I HEREBY APPLY for registration as a Pre-Registration Pharmacist and for that purpose I submit the following information:

Name of Applicant .....
(In block letters)

Date of birth of Applicant .....

Address of Applicant .....

Age of Applicant ..... Nationality .....

Qualification for registration as pre-registration pharmacist .....

.....

.....

.....

Name of the pharmacist with whom or the hospital or other establishment where the applicant is to undergo his pre-registration experience .....

.....

Address of pharmacist or hospital or other establishment referred to above .....

.....

Dated this ..... day of ....., 20.....

.....
Signature of Applicant

Regulation 11(2).

FORM C

(Pharmacy Board Act, Ch. 29:52)

DECLARATION BY PHARMACIST APPROVED BY THE COUNCIL

I, ...
(Name of Pharmacist)

of .....
(Address of Pharmacist)

Pharmacist, DO HEREBY DECLARE that in accordance with the Pharmacy Board

Act, Ch. 29:52 .....
(Name of pre-registration pharmacist)

.....
has actually and diligently served and has been employed by me as a pre-registration pharmacist for the whole period of six months with effect from the

..... day of ..... 20.....
during which he gained pre-registration experience as a pre-registration pharmacist in accordance with the Pharmacy Board Act.

Dated this ..... day of ....., 20.....

.....
Signature of Pharmacist

FORM D

Regulation 11(2).

(Pharmacy Board Act, Ch. 29:52)

DECLARATION BY HOSPITAL OR PHARMACEUTICAL INDUSTRIAL ESTABLISHMENT APPROVED BY THE COUNCIL

I, ...
(Name of the Administrator of Hospital or Officer in Charge of Pharmaceutical Industrial Establishment)

of the .....
(The hospital or other establishment)

.....
(Designation or title of administrative head of hospital or other establishment)

DO HEREBY DECLARE

that .....
(Name of pre-registration pharmacist)

has actually and diligently served and been employed at the

.....
(Name of hospital or other establishment)

as a pre-registration pharmacist for the whole period of six months with effect from

.....day of ..... 20.....
during which he gained pre-registration experience in accordance with the Pharmacy

Board Act as a pre-registration pharmacist for the period of ..... months with effect

from ..... day of ..... 20.....

Dated this ..... day of ....., 20.....

.....
Signature of Administrator or Administrative Head of Hospital or Establishment

Regulations
12(1), 13(1).

FORM E

(Pharmacy Board Act, Ch. 29:52)

APPLICATION FOR LICENCE AS A TEMPORARY PHARMACIST

(Attach two recent photographs of applicant)

To the Council of the Pharmacy Board of Trinidad and Tobago

I HEREBY APPLY for a licence as a Temporary Pharmacist and for that purpose I submit the following information:

Name of Applicant .....
(In block letters)

Date of Application .....

.....

Age of Applicant .....Nationality .....

Date of registration of applicant as pre-registration pharmacist or pharmaceutical intern

.....
Name of hospital or institution where or name of pharmacist with whom applicant served

as pre-registration pharmacist or pharmaceutical intern .....

.....
Accompanying this application and submitted herewith are the following:

Birth Certificate of Applicant ..... [ ]

Photograph of Applicant ..... [ ]

Testimonial given by..... [ ]

Photostats or certified copies of certificates listed below ..... [ ]

.....

.....

.....

Dated this ..... day of ....., 20.....

.....
Signature of Applicant

FORM F

Regulations 12(2), 13(2).

(Pharmacy Board Act, Ch. 29:52)

*CERTIFICATE OF REGISTRATION AS A PHARMACIST

*TEMPORARY LICENCE AS A PHARMACIST

Registration No.

THIS CERTIFIES that under the Pharmacy Board Act and the Regulations and subject to the provisions thereof .....

.....

.....

*has been duly registered as a pharmacist.

*has been duly licensed temporarily as a pharmacist.

*Terms and conditions (if any):

GIVEN under the Seal of the Pharmacy Board of Trinidad and Tobago at Port-of-Spain, Trinidad, on the ..... day of ..... 20.....

.....
President

.....
Secretary/Treasurer/Registrar

**Delete if inapplicable.*

Regulation 15(2).

FORM H

(Pharmacy Board Act, Ch. 29:52)

PRACTISING CERTIFICATE

THIS CERTIFIES that .....

of .....

being a Registered Pharmacist and, having complied with regulation ..... of the Pharmacy Board Regulations, 1987 is hereby authorised to practise as a pharmacist for the year ending the ..... day of ..... 20 .....

Dated this ..... day of ....., 20.....

Seal

.....
Secretary/Treasurer/Registrar

FORM I

Regulation 21(1).

(*Pharmacy Board Act, Ch.* 29:52)

APPLICATION FOR PHARMACY LICENCE

To the Council of the Pharmacy Board of Trinidad and Tobago

I, ..., HEREBY APPLY for
(*Name of Applicant*)

a licence for the use of premises located at .....

.....

.....
as a pharmacy and, for that purpose, I submit the following information:

Name under which Pharmacy is to be operated .....

.....

Address of Pharmacy .....

.....

The owner of the Pharmacy Business is—

A—a sole proprietorship [ ]

B—a partnership [ ]

C—a body corporate [ ]

(Indicate ONE of the above and complete corresponding section, A, B, or C, below).

SECTION A. If pharmacy business is to be operated by sole proprietor, state—

Name of owner ..... Date of birth .....

Address of owner .....

Nationality of owner .....

Name and address of the Registered Pharmacist who will have control of the

Pharmacy .....

.....

SECTION B. If Pharmacy business is to be operated by a partnership, complete the following:

1. The number of Partners in the partnership is .....

2. The name, address and the nationality and date of birth of each of the partners is as follows:

Name

Address

Nationality Date of birth

Name

Address

Nationality Date of birth

Name

Address

Nationality Date of birth

Name

Address

Nationality Date of birth

(Use a separate sheet of paper for additional names if required)

3. Name and address of the Registered Pharmacist who will have control of the

Pharmacy.....

.....

.....

FORM I—*Continued*

SECTION C. If Pharmacy business is to be operated by a body corporate, complete the following:

1. Name of Company .....

   .....

   Date of incorporation .....

   Place of incorporation .....

2. Particulars of each member of the Board of Directors are as follows:

	Name	*Address*	*Date of Birth*	*Nationality*
(1)	.....	.....	.....	.....
(2)	.....	.....	.....	.....
(3)	.....	.....	.....	.....
(4)	.....	.....	.....	.....
(5)	.....	.....	.....	.....
(6)	.....	.....	.....	.....

(Use a separate sheet of paper for additional names if required)

3. If the intended operator of the pharmacy business is a private company, give particulars of every person holding or controlling (whether directly or indirectly) not less than 10% of any class of the issued shares of the company:

	Name of Shareholder	*Address*	*Date of Birth*	*Nationality*
(1)				
(2)				
(3)				
(4)				
(5)				

(6)
(7)
(8)
(9)
(10)

Name and address of the registered Pharmacist who will have control of the pharmacy business .....

.....

.....

.....

Dated this ..... day of ....., 20.....

Signed by/or on behalf of the Applicant by .....

Signed by designated registered pharmacist .....

FORM J Regulation 21(5).

(Pharmacy Board Act, Ch. 29:52)

PHARMACY LICENCE

THIS CERTIFIES that the premises known as .....

..... situate at .....

..... in the .....

..... of .....
(Electoral District)

are licensed as a pharmacy under the Pharmacy Board Act to .....

..... as proprietor,
(Name of Owner)

AND THAT .....
(Name of designated Manager)

of .....
(Address of Manager)

is duly registered as the manager of the business carried on in the pharmacy. Below is a photograph of the proprietor/manager* to whom this form relates. GIVEN under the Seal of the Pharmacy Board of Trinidad and Tobago at Port-of-Spain, Trinidad, on the ..... day of..... 20.....

.....
President

Seal

.....
Secretary/Treasurer

*Delete one.

***FORM K**

**** (Repealed by implication by LN No. 35/2000)***

***FORM L**

**** (Repealed by implication by LN No. 35/2000)***

FORM M

Regulation 11A(3). [236/2005].

(Pharmacy Board Act, Ch. 29:52)

APPLICATION FOR REGISTRATION AS A PHARMACY ASSISTANT

Attach two recent photographs of applicant

To: The Council of the Pharmacy Board of Trinidad and Tobago—

I HEREBY APPLY for registration as a pharmacy assistant and for that purpose I submit the following information:

Name of applicant.....
(*In capital letters*)

Address of applicant .....

.....

Date of birth of applicant .....
(dd/mm/yy)

Age at last birthday .....

Qualifications for registration as a pharmacy assistant:

.....

.....

Name, address and occupation of person giving testimonial:

.....

.....

The name and business address of the approved pharmaceutical establishment:

.....

.....

....
Signature of Applicant *Date*

(Regulation 52).
[2/2006].

SECOND SCHEDULE

FEES PAYABLE TO THE REGISTRAR

First Column *Item*	*Second Column* *Matter*	*Third Column* *Fees* $
(a)	for registration as a pharmaceutical student… …	100.00
(b)	for registration as a pharmacist … …	200.00
(c)	for a duplicate certificate or licence … …	100.00
(d)	for a temporary licence to practise pharmacy …	100.00
(e)	for the renewal of a temporary licence to practise pharmacy … … … …	175.00
(f)	annual retention fee … … … …	150.00
(g)	for a non-practising certificate in any year … …	75.00
(h)	upon an application for a pharmacy licence in respect of premises not previously licensed as a pharmacy (Inspection) … … … …	750.00
(i)	for registration of a pharmacy … … …	100.00
(j)	for a pharmacy licence … … … …	850.00
(k)	for the renewal of a pharmacy licence … …	850.00
(l)	for re-inspection … … … …	450.00

PHARMACY BOARD (SALE OF OTC DRUGS) REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Licence to shopkeeper to sell OTC drugs.
4. Application for licence.
5. Appeal to Minister.
6. Compliance with notice.
7. Resubmission of application to County Medical Officer.
8. Display of licence.
9. Application for renewal of licence.
10. Inspector may at any time examine layout of premises.
11. Obstructing an Inspector in the performance of his duties.
12. Packaging and labelling of drugs and devices.
13. Invoices and bills to be retained.
14. Offences, revocation of, or refusal to renew a licence.

SCHEDULE.

35/2000.

PHARMACY BOARD (SALE OF OTC DRUGS) REGULATIONS

made under section 40

Citation.

1. These Regulations may be cited as the Pharmacy Board (Sale of OTC Drugs) Regulations.

Interpretation.

2. In these Regulations—

Ch. 29:52.

"Act" means the Pharmacy Board Act;

"designated area" means an area allocated in the shop for the storage of OTC drugs;

"Form" identified by a number means the Form with that number in the Schedule;

Ch. 30:01.

"Inspector" means an Inspector appointed under section 20 of the Food and Drugs Act or any public officer designated by the Minister to inspect shops for the purposes of these Regulations;

"licence" means a licence to sell OTC drugs, and "licensed shop" shall be construed accordingly;

Second Schedule.

"OTC drugs" or "drugs" means the drugs or devises listed or described in the Second Schedule to the Act;

"shop" or "shopkeeper" has the meaning assigned to it in the Act; and, "shop" also includes a shop which is licensed to sell OTC drugs.

Licence to shopkeeper to sell OTC drugs.

3. (1) The Minister shall cause the premises of a shopkeeper who is applying for the first time for a licence to sell OTC drugs to be inspected by an Inspector prior to the grant of the licence.

(2) The licence under section 31 of the Act authorising a shopkeeper to sell OTC drugs may only be granted where the premises are arranged to show that—

(a) the drugs shall be stored in a designated area on racks or shelves placed not less than sixty centimeters above the floor and thirty centimeters from the ceiling;

(b) drugs for external use shall be stored separately from drugs for internal use;

(c) all drugs shall be stored in a cool, dry area which is—

(i) well lit and ventilated;

(ii) free from pests and rodents;

(iii) secure from heat, moisture and direct sunlight;

(iv) separate from food, liquor and poisonous substances;

(d) all drugs shall be placed out of the reach of children.

Application for licence. Form 1 in the Fifth Schedule to the Act.

4. (1) An application by a shopkeeper to sell OTC drugs shall be made to the Minister in the form set out as Form 1 in the Fifth Schedule to the Act.

(2) The Minister, on receipt of the application, shall forthwith forward it to the Inspector and the Inspector shall, within thirty days from the date of the application, examine the designated area and—

(a) if the designated area conforms with the requirements of regulation 3(2), the Inspector shall within the said thirty days issue to the shopkeeper a Certificate of Approval in the form set out as Form 1 of the Schedule; or

Form 1. Schedule.

(b) if the designated area does not conform with the requirements of regulation 3(2), the Inspector shall within the said thirty days issue to the shopkeeper a Notice in the form set out as Form 2 of the Schedule.

Form 2. Schedule.

Appeal to Minister.

5. (1) A shopkeeper who is aggrieved by the Notice issued to him under regulation 4(2)*(b)* may, by notice in writing, appeal to the Minister.

(2) The Minister, on receipt of the notice of appeal shall, within fourteen days consider the appeal, and after having considered the appeal, he may dismiss or uphold it.

(3) Where the Minister upholds the appeal, he shall so notify the Inspector and the Inspector shall, within seven days of the receipt of such notification, issue to the shopkeeper a Certificate of Approval in the form set out as Form 1 of the Schedule and regulation 7(1) shall apply.

Form 1. Schedule.

(4) Where the Minister dismisses or upholds the appeal, he shall, within seven days, so inform the shopkeeper in the form set out as Form 3 of the Schedule.

Form 3. Schedule.

(5) A shopkeeper whose appeal has been dismissed by the Minister may appeal to the High Court for judicial review.

Compliance with notice.

6. Where a shopkeeper has complied with the notice issued under regulation 4(2)*(b)*, the Inspector shall issue to him a Certificate of Approval in the form set out as Form 2 of the Schedule and regulation 7 shall apply.

Form 2. Schedule.

Resubmission of application to County Medical Officer.

7. (1) A shopkeeper to whom a Certificate of Approval has been issued shall resubmit his application to the County Medical Officer of Health of the County in which the shop is situated, together with the said Certificate of Approval and a receipt from the District Revenue Office, acknowledging payment of the prescribed fee.

(2) The County Medical Officer of Health shall, within seven days of the receipt of the application, issue to the shopkeeper a licence in the form set out as Form 2 in the Fifth Schedule to the Act.

Form 2 in the Fifth Schedule to the Act.

Display of licence. Second Schedule to the Act.

8. A shopkeeper shall display the licence in a conspicuous part of the shop, together with a copy of the Second Schedule to the Act.

Application for renewal of licence.

9. (1) A licence is valid for a period of twelve months from the date of issue and may be renewed one month before the expiry date.

(2) A shopkeeper to whom a licence has been granted may, in accordance with subregulation (3), apply to the County Medical Officer of Health for a renewal of the licence.

(3) The application together with a copy of the current licence and the receipt from the District Revenue Office acknowledging payment of the prescribed fee, shall be forwarded to the County Medical Officer of Health and regulation 7(2) shall apply.

Inspector may at any time examine layout of premises.

10. Notwithstanding that a licence was granted pursuant to regulation 7(2), an Inspector may, at any reasonable time, enter the licensed shop to determine whether the requirements of these Regulations are being maintained.

Obstructing an Inspector in the performance of his duties.

11. (1) An Inspector who enters any shop to perform his duties under these Regulations shall, if so required, produce his certificate of appointment or designation to the shopkeeper.

(2) A shopkeeper shall give the Inspector all reasonable assistance when the Inspector is carrying out his examination of the designated area.

(3) A shopkeeper who obstructs an Inspector from carrying out his duties under these Regulations, is liable on summary conviction to a fine of one thousand dollars.

Packaging and labelling of drugs and devices.

12. (1) OTC drugs originally packed by the manufacturer shall not be divided, subdivided, or otherwise broken, for the purpose of repackaging in larger or smaller quantities for sale.

(2) OTC drugs that are not properly labelled shall not be offered for sale.

(3) Labels shall be affixed to OTC drugs with the following information in the English language:

(a) international non-proprietary names or brand name of the drug;

(b) name and address of manufacturer;

(c) words of caution where applicable;

(d) dosage, form and strength;

(e) contraindications;

(f) expiry date of drug.

Invoices and bills to be retained.

13. All invoices or bills shall be retained by the distributor or manufacturer and the shopkeeper for a period of not less than two years and shall be made available for inspection from time to time.

Offences, revocation of, or refusal to renew a licence.

14. (1) A shopkeeper who contravenes the provisions of these Regulations is liable on summary conviction to a fine of one thousand dollars where no penalty is prescribed for the offence.

(2) Notwithstanding subregulation (1), the Minister may revoke or refuse to renew a licence where a shopkeeper contravenes any of the provisions of the Act or of the Regulations.

SCHEDULE

[Regulation 4(1) and (2)*(a)*].

FORM 1

REPUBLIC OF TRINIDAD AND TOBAGO

Pharmacy Board Act (Ch. 29:52)

CERTIFICATE OF APPROVAL

FOR THE SALE OF OTC DRUGS

THIS IS TO CERTIFY that I have examined the designated area allocated in the shop

owned by .....
(Name of shopkeeper)

and which is known as/or which is trading as .....
(Name of shop, if any)

of .....
(Address of shop)

and I am satisfied that the said designated area conforms with the requirements of regulation 3 of the Pharmacy Board (Sale of OTC Drugs) Regulations.

I HEREBY RECOMMEND that a licence to sell OTC drugs be granted to the above-named shopkeeper.

.....
(Inspector)

Dated this ..... day of ....., 20.....

[Regulations 4(2)*(b)*, 6].

FORM 2

REPUBLIC OF TRINIDAD AND TOBAGO

Pharmacy Board Act (Ch. 29:52)

NOTICE TO SHOPKEEPER PURSUANT TO REGULATION 4(2)*(b)* OF THE PHARMACY BOARD (SALE OF OTC DRUGS) REGULATIONS

To .....
(Shopkeeper)

trading as .....
(Name of shop, if any)

at .....
(Address of shop)

TAKE NOTICE that the designated area allocated in your shop for the sale of

OTC drugs was, in your presence/or in the presence of .....
(Name of person and status)

and I have found that the designated area does not conform to the following requirements as stipulated in regulation 3 of the Pharmacy Board (Sale of OTC Drugs) Regulations, 2000, namely, regulation 3(2)*(a)*, (b)**, *(c)**, or *(d)**.

AND FURTHER TAKE NOTICE THAT YOU ARE REQUIRED to reconstruct or reconvert the designated area accordingly to conform with the requirements as stipulated in the said regulation 3(2)*(a)*, (b)**, *(c)**, or *(d)**, and thereafter to resubmit your application.

.....
(Inspector)

Served on the above named .....

on ..... day of ..... 20.....

**Delete whichever is inapplicable.*

FORM 3

[Regulation 5(4)].

REPUBLIC OF TRINIDAD AND TOBAGO

Pharmacy Board Act (Ch. 29:52)

NOTICE OF APPEAL MADE PURSUANT TO REGULATION 5 OF THE PHARMACY BOARD (SALE OF OTC DRUGS) REGULATIONS

To .....
(Name of shopkeeper)

trading as .....
(Name of shop, if any)

at .....
(Address of shop)

PLEASE BE ADVISED that your appeal pursuant to regulation 5 has been upheld/dismissed.*

.....
Minister of Health

Dated this ..... day of ....., 20.....

*Delete whichever is inapplicable.

REPUBLIC OF TRINIDAD AND TOBAGO

Pharmacy Board Act (Ch. 29:52)

15/1998.

RESOLUTION

WHEREAS it is provided by section 33(1) of the Pharmacy Board Act, Chap. 29:52 (hereinafter called "the Act") that the Council may by resolution declare that any of the Schedules be amended by adding thereto or deleting therefrom any drug or device specified in the resolution:

And whereas it is provided by section 33(2) of the Act that upon passing a resolution in accordance with subsection (1) of the said section 33 the Council shall submit it to the Minister for approval, and if he gives his approval the Council shall cause the resolution to be published in the *Gazette* and on the expiration of one month from the date of the publication the Schedule referred to therein shall be amended by the addition thereto or the deletion therefrom, as the case may be, of the drug or device named or described in the resolution:

And whereas it is provided by section 80(1)*(b)* of the Interpretation Act, Chap. 3:01 that in any written law or in any public document a reference to "the Minister" in connection with any function shall be construed as a reference to the Minister to whom is assigned responsibilities for the subject matter of that function:

And whereas the Council has this 13th day of January, 1998 declared an amendment to the Second Schedule to the Act by deleting the device "Condoms" therefrom and adding the device "Latex Condoms" to the First Schedule of the Act:

Be it Resolved:

That the amendments to the First and Second Schedules of the Pharmacy Board Act be approved.