



Australian Capital Territory

# **Pharmacy Act 1931**

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## **About this republication**

### **The republished law**

This is a republication of the *Pharmacy Act 1931* effective 31 May 1994 to 13 November 1994.

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Australian Capital Territory

## PHARMACY ACT 1931

*As at 31 May 1994*

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Australian Capital Territory

## PHARMACY ACT 1931

An Act to provide for the Registration of Pharmacists, to control the practice of pharmacy and for related purposes

### PART I—PRELIMINARY

#### Short title

1. This Act may be cited as the *Pharmacy Act 1931*.<sup>1</sup>

#### Interpretation

2. (1) In this Act, unless the contrary intention appears—
  - “Board” means the Pharmacy Board established by virtue of section 5;
  - “Chairperson” means the Chairperson of the Board;
  - “dentist” means a person registered as a dentist under the *Dentists Registration Act 1931*;
  - “Deputy Chairperson” means the Deputy Chairperson of the Board;
  - “determined fee” means the fee determined under section 57 for the purposes of the provision in which the expression occurs;
  - “inspector” means a person appointed to be an inspector under section 50;
  - “medical practitioner” means a person registered as a medical practitioner under the *Medical Practitioners Act 1930*;
  - “member” means a member of the Board;

“Mutual Recognition Act” means the *Mutual Recognition Act 1992* of the Commonwealth;

“qualification” includes a degree, certificate or diploma;

“Register” means the register kept pursuant to section 23;

“registered pharmacist” means a person who is—

- (a) registered under this Act; or
- (b) to be deemed to be registered under this Act by virtue of section 25 of the Mutual Recognition Act;

“registration authority” means a person or body empowered by or under the law of a State, Territory or place outside Australia to register pharmacists or otherwise to authorize the practice of pharmacy;

“Tribunal” means the Australian Capital Territory Administrative Appeals Tribunal;

“veterinary surgeon” means a person registered as a veterinary surgeon under the *Veterinary Surgeons Registration Act 1965*.

(4) For the purposes of this Act, a person shall be deemed to practise pharmacy if—

- (a) he or she practises pharmacy personally on his or her own account or as a member of a firm;
- (b) in the course of a business carried on by him or her, a person or persons employed by him or her is or are engaged in the practice of pharmacy; or
- (c) he or she is engaged in the practice of pharmacy as a person employed in a business carried on by another person (including a company) or by a firm.

### **Competence to practise pharmacy**

3. For the purposes of this Act, a person shall be taken to be competent to practise pharmacy only if the person—

- (a) has sufficient physical capacity, mental capacity and skill to practise pharmacy; and
- (b) has sufficient communication skills for practising pharmacy, including an adequate command of the English language.



**Impairment**

4. (1) For the purposes of this Act, a person shall be taken to suffer from an impairment if the person suffers from any physical or mental impairment, disability, condition or disorder which detrimentally affects, or is likely to detrimentally affect, the person's physical or mental capacity to practise pharmacy.

(2) For the purposes of subsection (1), habitual drunkenness or addiction to a deleterious drug shall be taken to be a physical or mental disorder.

**PART II—ADMINISTRATION****Pharmacy Board**

5. (1) For the purpose of this Act, there shall be a Pharmacy Board, which shall be charged with the general administration of this Act.

**Constitution of Board**

6. (1) The Board shall consist of—

- (a) a Chairperson, and 3 other members, appointed in accordance with the *Health Professions Boards (Procedures) Act 1981*; and
- (b) 3 members elected, as occasion requires, in accordance with the *Health Professions Boards (Elections) Act 1980*.

(2) A person is not eligible for appointment as a member unless—

- (a) he or she is a registered pharmacist; and
- (b) he or she was, at all times during the period of 3 years immediately preceding the appointment, entitled, under the law of a State or Territory, to practise as a pharmacist in that State or Territory.

(3) The Chairperson shall be the executive officer of the Board.

**Appointment of inspectors**

7. (1) The Minister may, by instrument in writing, appoint such persons as he or she considers necessary to be inspectors for the purposes of this Act.

(2) The Minister shall issue to each person appointed under this section a certificate signed by the Minister and stating that the person is an inspector for the purposes of this Act.

**Powers of inspectors**

**8. (1)** Subject to this Act, an inspector may, at any reasonable hour of the day or night, enter any premises where the business of a pharmacy is being carried on and inspect the premises.

**(2)** An inspector who enters premises in pursuance of subsection (1) is not authorized to remain on the premises if, on request by the occupier, or person in charge, of the premises, he or she does not produce the certificate issued to him or her for the purpose of subsection 7 (2).

**PART III—REGISTRATION*****Division 1—Qualifications for registration*****Registration based on qualifications and training**

**9. (1)** A person is entitled to be registered as a pharmacist if—

- (a) the person is a graduate of a course of study and training in pharmacy offered by—
  - (i) an Australian institution in a State or Territory, being a course that is accredited in writing by the Board, or recognised by a registration authority in that State or Territory; or
  - (ii) an institution in a place outside Australia, being a course that is accredited in writing by the Board; and
- (b) the person—
  - (i) has passed, to the satisfaction of the Board, an examination conducted by or on behalf of the Board, in Australia or elsewhere, in accordance with a determination made, on the recommendation of the Board, by the Minister for the purposes of this paragraph and published in the *Gazette*; and
  - (ii) if required by the Board, has undertaken training or gained experience in practising pharmacy in Australia for such period, not exceeding 12 months, as the Board determines.

**(2)** The Board shall not accredit a course offered by an institution in a place outside Australia unless the course is substantially equivalent to a course offered by an Australian institution in a State or Territory.

**(3)** The entitlement under this section is an entitlement to registration that is not subject to any condition.

### **Registration under mutual recognition principle**

**10. (1)** A person who is licensed or registered as a pharmacist under the law in force in a State or another Territory that is a participating jurisdiction within the meaning of the Mutual Recognition Act is entitled to be registered as a pharmacist under this Act.

**(2)** If the person's licence or registration in the State or other Territory is not subject to any condition or restriction, the person's entitlement to registration under this Act is an entitlement to registration that is not subject to any condition.

**(3)** If the person's licence or registration in the State or other Territory is subject to any condition or restriction, the person's entitlement to registration under this Act is an entitlement to registration subject to the conditions to which that licence or registration is subject or conditions appropriate to give effect to any restriction to which that licence or registration is subject.

### **Registration at discretion of Board**

**11. (1)** The Board may register a person as a pharmacist for the purpose of enabling an unmet area of need to be met if the Board is satisfied that the person has suitable qualifications and experience to practise pharmacy in that area of need.

**(2)** The Board may register a person as a pharmacist for the purpose of enabling the person to fill a teaching or research position if—

- (a)** the person has qualifications that the Board considers appropriate for that purpose; and
- (b)** the application is supported, in writing, by the hospital, professional association, university or other educational or research institution by which it is proposed that the person be engaged for that purpose.

**(3)** The Board may register a person as a pharmacist on a temporary basis—

- (a)** for the purpose of enabling a person to undertake training or to gain experience in practising pharmacy; or
- (b)** if it is satisfied that it is in the public interest to do so.

**(4)** The Board may impose such conditions on the registration of a person under this section as it considers appropriate.

### **Interim registration**

**12. (1)** An applicant for registration may be granted interim registration where—

- (a) the person is entitled to registration under section 9 but it is not practicable to wait until the Board can consider the application; or
- (b) the person would be entitled to registration under section 9 except for the fact that a degree or award to which the applicant is entitled has not yet been conferred or granted by the institution concerned.

**(2)** A person authorised by the Board for the purposes of this section may, on payment of the determined fee, grant to an applicant for registration interim registration in accordance with this section.

**(3)** Interim registration granted to a person under this section remains in force from the time at which it is granted until the person is given notice in writing that the Board has—

- (a) granted him or her registration;
- (b) refused his or her application for registration; or
- (c) cancelled the interim registration.

**(4)** The Board may cancel a person's interim registration for any reason that it considers proper and shall immediately give the person notice in writing of the cancellation.

**(5)** A person who holds interim registration is for all purposes to be taken to be a registered pharmacist.

**(6)** Where a person who is registered as a pharmacist held interim registration at the time of being so registered, the person's registration as a pharmacist shall be taken to have occurred on the day on which he or she was granted interim registration.

**(7)** Interim registration under this section shall be taken to have been granted by the Board.

### **Conditions of registration in cases of impairment**

**13. (1)** The Board may impose conditions on a person's registration if the Board is satisfied that the person suffers from an impairment and the conditions are reasonably required having regard to the impairment.

**(2)** Where conditions have been imposed on a person's registration under this section (including conditions imposed on a review under this section), the Board may, if so requested by the person, review the conditions and, if it is satisfied that—

- (a) the person no longer suffers from the impairment; or
- (b) the impairment has lessened;

the Board may alter or remove the conditions or impose new conditions.

### **Refusal of registration where applicant convicted of offence**

**14. (1)** The Board may refuse an application for registration if—

- (a) the applicant has been convicted in the Territory of an offence or has been convicted outside the Territory by a court for or in respect of an act or omission that would, had it taken place in the Territory, have constituted an offence; and
- (b) the Board is of the opinion that the conviction renders the person unfit in the public interest to practise pharmacy.

**(2)** The Board shall have regard to the nature of an offence and the circumstances in which it was committed in making a decision under subsection (1).

**(3)** Subsection (1) does not apply in relation to a person who is entitled to registration pursuant to the Mutual Recognition Act and who has lodged with the Board a notice under section 19 of that Act.

### **Refusal of registration where applicant deregistered outside Territory**

**15. (1)** The Board may refuse an application for registration if the applicant's name has been removed from a foreign pharmacy register for any reason relating to—

- (a) the conduct of the person as a pharmacist; or
- (b) the physical or mental capacity of the person to practise pharmacy.

(2) A person's name shall be taken to have been removed from a foreign pharmacy register if it is removed from any register or roll established or kept under any law of any country, State or other Territory providing for the registration, licensing or certification of a pharmacist under an Act.

(3) Subsection (1) does not apply in relation to a person who is entitled to registration pursuant to the Mutual Recognition Act and who has lodged with the Board a notice under section 19 of that Act.

### **Applicants to be competent and of good character**

**16. (1)** The Board shall not register a person as a pharmacist unless it is satisfied that the person is competent to practise pharmacy and is of good character.

(2) Subsection (1) does not apply in relation to a person who is entitled to registration pursuant to the Mutual Recognition Act and who has lodged with the Board a notice under section 19 of that Act.

### **Restriction on registration of deregistered or suspended persons**

**17. (1)** Where the registration of a person under this Act has been cancelled (otherwise than under section 25 or subsection 29 (2)) or suspended (otherwise than under subsection 41 (2)) the person may not apply for re-registration or termination of the suspension, as the case may be, otherwise than under section 40.

(2) Subsection (1) does not apply in relation to a person who is entitled to be re-registered pursuant to the Mutual Recognition Act and who has lodged with the Board a notice under section 19 of that Act.

## ***Division 2—Registration procedure***

### **Applications for registration**

**18. (1)** This section applies to applications for registration other than applications by persons who are entitled to registration pursuant to the Mutual Recognition Act and who lodge with the Board a notice under section 19 of that Act.

(2) An application for registration to which this section applies shall—

- (a) be in a form approved by the Board; and
- (b) be accompanied by the determined fee.

### **Applications to be considered and determined**

**19.** The Board shall consider each application under section 18 and shall determine the application by—

- (a) registering the applicant unconditionally or subject to conditions; or
- (b) refusing the application.

### **Registration of applicants**

**20.** Where a person who is applying for registration otherwise than under the Mutual Recognition Act—

- (a) complies with section 18;
- (b) appears personally before the Board in support of his or her application if required by the Board to do so; and
- (c) is entitled to registration in accordance with this Act;

the Board shall, subject to this Act, cause the applicant to be registered.

### **Fee for registration pursuant to Mutual Recognition Act**

**21.** A person who applies for registration under this Act pursuant to the Mutual Recognition Act shall pay the determined fee.

### **Conditions of registration**

**22.** The conditions that the Board may impose on registration at the time of registration include conditions relating to the duration of registration, the aspects of practice in which the person who is registered may be engaged and conditions relating to any other matters the Board considers appropriate.

## ***Division 3—Register of Pharmacists***

### **Register**

**23. (1)** The Board shall keep a register called the “Register of Pharmacists”.

- (2) The Register may be kept by electronic means.

### **Particulars to be entered in Register**

**24.** A person shall be registered by entering in the Register—

- (a) the name of the person;

- (b) the person's professional address or addresses in the Territory or, if he or she has no professional address in the Territory, the person's place of residence, whether within or outside the Territory;
- (c) particulars of the qualifications entitling the person to be registered;
- (d) the registration number allotted to the person;
- (e) the date of registration;
- (f) any condition to which the person's registration is subject; and
- (g) such other particulars, if any, as are prescribed.

**Deregistration on basis of disciplinary action under foreign law**

**25. (1)** Where the Board is satisfied that the name of a person who is registered under this Act has been removed from any register kept under a law of a State or another Territory for any reason relating to—

- (a) the conduct of the person as a pharmacist; or
- (b) the physical or mental capacity of the person to practise pharmacy;

the Board shall cancel the registration of the person.

**(2)** Where—

- (a) the name of a person whose registration has been cancelled under subsection (1) is restored to the Register referred to in that subsection; and
- (b) the person applies to the Board to be re-registered under this Act;

the Board shall re-register the person.

**(3)** Where the Board is satisfied that the name of a person who is registered under this Act has been removed from any register kept under a law of a place outside Australia for any reason relating to—

- (a) the conduct of the person as a pharmacist; or
- (b) the physical or mental capacity of the person to practise pharmacy;

the Board may cancel the registration of the person.

**(4)** The Board may re-register a person whose registration has been cancelled under subsection (3) if the Board is satisfied that it is appropriate in the circumstances to do so.

**Imposition of conditions imposed under foreign law**



**26. (1)** Where the Board is satisfied that after a person has been registered under this Act a condition has been imposed on the registration of the person as a pharmacist under a law of a State or another Territory, the Board shall impose a similar condition on the registration of the person under this Act.

**(2)** Where the Board is satisfied that after a person has been registered under this Act a condition has been imposed on the registration of the person as a pharmacist under a law of a place outside Australia, the Board may impose a similar condition on the registration of the person under this Act.

### **Cessation of registration**

**27.** A registered pharmacist ceases to be registered—

- (a) when the Board gives the person notice that his or her registration has been cancelled in accordance with this Act; or
- (b) if registration is conditional and the period of registration is specified in a condition—when that period expires.

### ***Division 4—Annual fees***

#### **Annual fee payable**

**28. (1)** A registered pharmacist shall, on or before 31 October in each year, pay to the Territory the determined fee.

**(2)** The Board shall cause to be sent to each registered pharmacist, not less than 1 month before 31 October in each year, a notice requiring him or her to comply with subsection (1).

**(3)** The liability of a registered pharmacist for a fee payable by him or her under subsection (1) is not affected by a failure of the Board to comply with subsection (2).

#### **Registration to be cancelled for non-payment**

**29. (1)** Where a registered pharmacist does not comply with subsection 28 (1), the Board shall cause to be sent to the pharmacist a notice requiring him or her to pay the fee due under that subsection by a day specified in the notice and advising him or her that if the fee is not paid on or before that day his or her registration will be cancelled.

**(2)** The Board shall cancel the registration of a pharmacist to whom a notice has been sent under subsection (1) and who has not paid the fee due by the day specified in the notice.

**Entitlement to re-registration on payment of fees**

**30. (1)** A person whose name has been removed from the Register for failure to pay an annual fee is entitled to be re-registered if he or she makes application in accordance with this section and pays the determined fee.

**(2)** An application for re-registration under this section shall—

- (a)** be in a form approved by the Board; and
- (b)** be accompanied by the determined fee.

**(3)** The entitlement of a person to re-registration under this section is an entitlement to registration on the same terms and subject to the same conditions, if any, as applied to the person's registration immediately before the removal of his or her name from the Register.

**(4)** The Board may refuse to re-register a person under this section if it is satisfied that the person is not competent to practise pharmacy or is not of good character.

**(5)** An entitlement to re-registration under this section is subject to the provisions of this Act pursuant to which a person's name is authorised or required to be removed from the Register.

***Division 5—Miscellaneous*****Certificate of registration**

**31. (1)** Where a person is registered as a pharmacist, the Board shall cause to be issued to him or her a certificate of registration under the hand of the Chairperson or Deputy Chairperson.

**(1A)** A certificate of registration shall state the provision by virtue of which the person specified in the certificate is entitled to be registered under this Act and any conditions to which his or her registration is subject.

**(2)** A certificate of registration is evidence that the person specified in the certificate was registered on the date specified in the certificate.

**(3)** Where a certificate issued under subsection (1) has been destroyed or lost, the Board shall, on payment of the determined fee, cause to be issued to the registered pharmacist a duplicate certificate.

**(4)** Where—

- (a)** the Board has given to a person notice in writing that his or her registration has been suspended or cancelled; and

- (b) a period of 14 days has elapsed since the notice referred to in paragraph (a) was given;

the person shall deliver his or her certificate of registration to the Chairperson.

(5) A person who, without reasonable excuse, contravenes subsection (4) is guilty of an offence punishable, on conviction, by a fine not exceeding \$500.

(6) Where a person whose registration has been suspended delivers his or her certificate of registration to the Board, the Board shall retain the certificate during the period of the suspension and return it to the person at the expiration of that period unless the person's registration has sooner been cancelled.

(7) Where, after a certificate of registration has been issued to a person—

- (a) conditions are imposed on the registration of the person; or
- (b) conditions imposed on the registration of the person are varied;

the Chairperson may, by notice in writing given to the person, require the person to deliver his or her certificate of registration to the Chairperson within 14 days to enable a statement of the conditions imposed, or the conditions as varied, to be endorsed on the certificate.

(8) A person who, without reasonable excuse, contravenes a notice under subsection (7) is guilty of an offence punishable, on conviction, by a fine not exceeding \$500.

(9) A notice for the purpose of paragraph (4) (a) or subsection (7) may be given to a person by post addressed to the person at the address of the person last known to the Chairperson.

(10) It is a defence to a prosecution for an offence against subsection (4) or (7) that—

- (a) the certificate has been destroyed; or
- (b) after diligent search, the defendant has been unable to find the certificate.

**Change of address to be notified****32.** Where—

- (a) a change occurs in an address of a registered pharmacist entered in the Register under section 24; or
- (b) a registered pharmacist establishes a professional address, or an additional professional address, in the Territory,

the registered pharmacist shall, within 1 month of the change or establishment, as the case may be, notify the Chairperson in writing accordingly.

Penalty: \$500.

**Alteration of Register**

**33. (1)** The Board shall cause to be removed from the Register the name of—

- (a) a registered pharmacist who has died; or
- (b) a registered pharmacist whose registration has been cancelled.

**(2)** Subject to subsection (3), the Board may, from time to time, at the request of a person or of its own accord, make such other alterations to particulars in the Register as are necessary.

**(3)** The Board shall not make an alteration to particulars in the Register at the request of a person unless it is satisfied that the determined fee has been paid.

**Publication of registered pharmacists**

**34.** The Board shall, as soon as practicable after 31 October in each year, cause to be published in the *Gazette* a notice listing the names of all pharmacists registered under this Act on that date and the professional address, or professional addresses, if any, of those pharmacists.

**PART IV—CONDUCT OF BUSINESS AS PHARMACIST****Cancellation or suspension of registration****35.** The Board may—

- (a) cancel the registration of a person; or
- (b) by order served on the person, suspend the registration of the person for such period as the Board thinks fit;

if satisfied that—

- (c) the registration of the person was obtained by fraud or misrepresentation;
- (d) the pharmaceutical qualification of the person has been withdrawn or cancelled by the body which granted it;
- (e) the person has contravened a condition to which his or her registration under this Act is subject;
- (f) the person has been convicted in the Territory or elsewhere of an offence punishable by imprisonment for more than 1 year or any offence that, in the opinion of the Board, renders him or her unfit to practise as a pharmacist;
- (g) the person is guilty of habitual drunkenness, or addiction to deleterious drugs, that renders him or her unfit to practise as a pharmacist;
- (h) the person has failed to exercise adequate judgment or care in practising pharmacy;
- (j) the person has engaged in any conduct, whether occurring in practising pharmacy or not, that adversely affects practising pharmacy by the person;
- (k) the person has contravened this Act or the regulations;
- (m) the person has engaged in any other improper or unethical conduct relating to practising pharmacy; or
- (n) the person is not competent to practise pharmacy.

**Cancellation, suspension or restriction of right of practise on health grounds**

**36. (1)** Subject to subsection (2), the Board shall, when it is satisfied that the mental or physical condition of a person who is registered as a pharmacist renders him or her unfit to practise pharmacy—

- (a) cancel the registration of the person; or
- (b) by order served on the person, suspend the registration of the person for such period as the Board thinks fit.

**(2)** The Board may, instead of cancelling or suspending the registration of a person, where it is satisfied that the person is fit to provide some pharmaceutical services and that it would not be contrary to the public interest

to make an order under this subsection, by order served on the person, direct the person not to provide the pharmaceutical services specified, whether individually or otherwise, in the order.

(3) Where the Board has made an order under subsection (2) in relation to a person, it may, if so requested by the person, review the order and, if it is satisfied that the mental or physical condition of the person has changed since the order was made, amend or remove the order.

(4) A person on whom an order under paragraph (1) (b) or subsection (2) has been served who provides a pharmaceutical service in contravention of that order shall, in providing the service, be deemed to be a person other than a registered pharmacist.

### **Practising when registration suspended**

37. Where a person whose registration as a pharmacist has been suspended is convicted of an offence against section 42, the Board may—

- (a) cancel the registration of the person; or
- (b) by order served on the person, suspend the registration of the person for such further period as the Board thinks fit.

### **Power of Board to caution, reprimand etc.**

38. (1) The Board may do any 1 or more of the following in relation to the conduct of a registered pharmacist:

- (a) caution or reprimand the pharmacist;
- (b) order that the pharmacist seek and undergo medical or psychiatric treatment or counselling;
- (c) impose on the pharmacist's registration such conditions relating to practising pharmacy as the Board considers appropriate;
- (d) order that the pharmacist seek and follow advice, in relation to the management of his or her pharmacy practice, from persons specified by the Board;
- (e) order that the pharmacist complete specified educational courses.

(2) Paragraph (1) (e) does not apply in relation to a registered pharmacist who obtained registration under this Act pursuant to the Mutual Recognition Act.

### **Power of Board to impose fines**

**39. (1)** Subject to subsection (2), where the Board finds that a registered pharmacist has failed to comply with an order of the Board under section 38 it may, by order served on the person, impose on him or her a fine not exceeding \$1,000.

**(2)** The Board shall not impose a fine under subsection (1) in respect of conduct for which a court has already imposed a fine or other penalty.

**(3)** A fine imposed under this section shall be paid to the Territory within the time specified in the order imposing the fine.

**(4)** Where a person on whom the Board has imposed a fine under subsection (1) fails to pay the fine by the time specified in the order, the Board may—

- (a) cancel the registration of the person; or
- (b) by order served on the person, suspend the registration of the person for such period as the Board thinks fit.

### **Application for re-registration**

**40. (1)** Where the registration of a person has been cancelled, otherwise than under section 25 or subsection 29 (2), or suspended, otherwise than under section 41, the person may apply for re-registration or termination of the suspension, as the case may be, on the ground that, by reason of a specified change in the circumstances that has occurred since the date of the cancellation or suspension, it is just that he or she should be re-registered or his or her suspension should be terminated.

**(2)** Upon application under this section the Board may, if satisfied that, by reason of the change in circumstances, the person should be re-registered or his or her suspension should be terminated, order that the person be re-registered or that his or her suspension be terminated, as the case requires.

### **Inquiry by Board**

**41. (1)** The Board shall hold an inquiry before—

- (a) cancelling the registration of a person;
- (b) suspending the registration of a person;
- (ba) making an order under subsection 36 (2); or
- (c) taking action under section 38.

(2) Pending the holding of an inquiry under subsection (1) the Board may, by order served on the person to whom the inquiry relates, suspend temporarily the registration of the person.

### **Persons other than registered pharmacists not to practise**

**42. (1)** Any person other than a registered pharmacist who carries on or attempts to carry on in any place on any occasion the business of a pharmacist, or pretends to be a pharmacist, or assumes and uses the title of pharmaceutical chemist, pharmacist, chemist, druggist, homoeopathic chemist, dispensing chemist, dispensing druggist or other words of a similar meaning, or uses or exhibits, or causes or permits to be used or exhibited, at any place the words “pharmacy”, “apothecary’s hall”, “medical drug hall”, “pharmaceutical institution” or “drug store” (either alone or in combination with any other words or expressions) or any other name, title, word, letters, addition or description, with the intention of implying, or inducing in others the belief, that he or she is a pharmacist or is qualified to perform the functions of a pharmacist or that he or she is carrying on business as a pharmacist, shall be guilty of an offence.

Penalty: \$1,000.

(2) A person other than a registered pharmacist shall not provide a pharmacy service for fee or reward.

Penalty: \$1,000.

### **Administration of estate of deceased pharmacist**

**43.** Upon the death of a registered pharmacist who was at the time of death carrying on business as a pharmacist, an executor or executrix of the will of the deceased pharmacist, or an administrator, administratrix or trustee of the estate of the deceased pharmacist, may continue the business for a period of 6 months or for such longer period as the Board, on application by the executor, executrix, administrator, administratrix or trustee, permits if the practice of pharmacy in the business is carried on by a registered pharmacist.

### **Publication of notice of decision of Board or Tribunal**

**44. (1)** The Chairperson may, if he or she thinks fit, cause notice of a decision of the Board or of the Tribunal on application for a review of a decision of the Board—

- (a) cancelling the registration of a person;



- (b) suspending, otherwise than under subsection 41 (2), the registration of a person;
- (c) imposing a condition on the registration of a person;
- (d) making an order under subsection 36 (2);
- (e) taking action under section 38; or
- (f) imposing a fine on a person under section 39;

and the reasons for the decision, including the findings on material questions of fact, to be published in the *Gazette*.

- (2) Notice of a decision shall not be published under subsection (1) until—
  - (a) the period within which an application may be made to the Tribunal for a review of the decision has expired; and
  - (b) if an application for review of the decision is made, the Tribunal has given its decision on the application.

#### **Name of pharmacist to be exhibited**

**45. (1)** The owner of a pharmacy business shall cause to be prominently displayed at all times at the premises where that business is carried on a notice specifying in letters not less than 5 centimetres in height the name of the pharmacist in charge of carrying on that business at those premises followed by the words “Pharmacist in Charge”.

(2) A person who contravenes subsection (1) is guilty of an offence punishable, on conviction, by a fine not exceeding—

- (a) in the case of a company—\$1,000; and
- (b) in any other case—\$500.

#### **Prescriptions to be signed**

**46.** A medical practitioner shall not issue a prescription unless the prescription is signed by the practitioner with his or her usual signature or is written on paper on which is printed his or her full surname and the initials of his or her Christian names, and bears the date on which the prescription was issued.

#### **Record of prescriptions**

**47.** Every pharmacist shall, as prescribed, record in a book to be kept by him or her or the purpose every prescription of any medical practitioner dispensed, compounded or made up by him or her.

**Conduct of business by pharmacist**

**48.** A pharmacist shall not—

- (a) keep or maintain any shop for selling or supplying medicines or drugs, or for compounding or dispensing prescriptions unless such shop is, while open for business, constantly under his or her own control or that of some other registered pharmacist, as an assistant or agent of a registered pharmacist;
- (b) permit any person, other than a *bona fide* assistant or apprentice in the course of his or her employment and under his or her actual personal supervision, or a registered pharmacist, to sell or supply medicines or drugs or compound or dispense prescriptions;
- (c) carry on business except under the actual personal supervision of himself or herself or some other registered pharmacist;
- (d) practise pharmacy except in the name under which he or she is registered as a pharmacist;
- (f) give medical advice or aid except in his or her place of business and—
  - (i) in the case of simple ailments of common occurrence;
  - (ii) in the administration of antidotes in cases of acute poisoning;
  - (iii) in the application of immediate aid in cases of accident or injury; or
  - (iv) in urgent or emergent cases under the direct instructions of a medical practitioner;
- (g) allow his or her name to be used in connexion with the practice of pharmacy at any premises at which there is not a registered pharmacist in daily attendance; or
- (h) aid or assist any person other than a registered pharmacist to practise pharmacy except in accordance with the provisions of this Act.

**Medical practitioner etc. may dispense medicines**

**49.** Every dentist, medical practitioner or veterinary surgeon may compound or dispense any medicines or drugs for patients or animals under his or her professional care without becoming a registered pharmacist.

**Automatic machines for vending medicines prohibited**

**50. (1)** Any person who—

- (a) installs any automatic machine for the sale or supply of any drug or medicine or allows, permits or suffers any such automatic machine to be so installed;
- (b) sells or supplies any drug or medicine by means of any automatic machine; or
- (c) allows, permits or suffers any person to purchase or be supplied with or otherwise obtain any drug or medicine by means of any automatic machine,

shall be guilty of an offence.

Penalty: \$250.

**(2)** For the purposes of subsection (1), “Automatic machine” means any machine or mechanical device used or capable of being used for the purpose of selling or supplying goods without the personal manipulation or attention of the seller or supplier, or his or her employee, or other agent at the time of the sale or supply.

**Restrictions upon the supply of certain medicines etc.**

**51. (1)** Any person, other than a registered medical practitioner, or a person acting under the direct instructions of such medical practitioner, who attends upon, prescribes for, or supplies any article as a drug, medicine, instrument or appliance to any person for the alleviation, cure or treatment of any sexually transmitted disease, whether such person is in fact suffering from such disease or not, or of any disease affecting the generative organs or functions, or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse, or of female or menstrual irregularities, or for the purpose of terminating pregnancy or influencing the course of pregnancy, shall be guilty of an offence.

Penalty: \$500 or imprisonment for 6 months.

**(2)** Nothing in this section shall apply to—

- (a) a registered pharmacist who dispenses to the patient of a medical practitioner registered in any State or Territory of the Commonwealth the prescription of such practitioner if the prescription is dated and

bears the address and usual signature (including the surname) of the practitioner; or

- (b) a registered pharmacist who in the ordinary course of his or her business sells or supplies any article as a drug, medicine, instrument or appliance (except such drugs, medicines, instruments or appliances as are prescribed), provided such drug, medicine, instrument or appliance is sold or supplied by such pharmacist for purposes other than those prescribed by this section.

### **Certain advertisements prohibited**

**52. (1)** A person shall not publish any statement, whether by way of advertisement or otherwise, to promote the sale of any article as a medicine, instrument or appliance for the alleviation or cure of any sexually transmitted disease, or disease affecting the generative organs or functions, or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse, or of female or menstrual irregularities, or for terminating pregnancy or influencing the course of pregnancy.

**(2)** Any person who—

- (a) affixes or inscribes any statement on any thing whatsoever so as to be visible to persons being in or passing along any street, road, highway, pathway, public place, or public conveyance;
- (b) delivers or offers, or exhibits any statement to any person being in or passing along any street, road, highway, pathway, public place, or public conveyance;
- (c) throws any statement into or upon any street, road, highway, pathway, public place or public conveyance, or into the area, yard, garden, or enclosure of any house;
- (d) exhibits any statement to public view in any house, shop or place;
- (e) prints or publishes any statement in any newspaper; or
- (f) sells, offers, or shows or sends by post any statement to any person,

shall be deemed to have published that statement.

**(3)** The word “statement” includes any document, book, or paper containing any statement.

(4) Any person, who, for himself or herself or as assistant, servant, agent or manager, does or permits any act, matter or thing contrary to this section or any part of this section shall be guilty of an offence.

Penalty: \$500.

(5) Nothing in this section shall apply to any books, documents, or papers, published in good faith for the advancement of medical or surgical science, or to any advertisement, notice or recommendation published by the authority of the Secretary of the Department of Community Services and Health of the Commonwealth, or to any publication sent only to medical practitioners or to registered pharmacists for the purposes of their business.

### Standard of drugs

53. (1) In this section—

“controlled therapeutic substance” has the same meaning as in the *Therapeutic Substances Act 1953* of the Commonwealth;

“the Australian Pharmaceutical Formulary” means—

- (a) the latest edition for the time being of the book called the Australian Pharmaceutical Formulary, published by the Pharmaceutical Association of Australia; or
- (b) if that edition has been added to or amended—that edition as affected by those additions or amendments.

(2) A registered pharmacist shall not use or supply, or permit the use or supply of a drug or medicinal preparation that is not—

- (a) in the case of a drug or medicinal preparation that is a controlled therapeutic substance, of the standard applicable to that controlled therapeutic substance under the *Therapeutic Substances Act 1953* of the Commonwealth; or
- (b) in the case of a drug or medicinal preparation (other than a controlled therapeutic substance) for which a standard is specified in the Australian Pharmaceutical Formulary, of the standard specified for that drug or medicinal preparation in the Australian Pharmaceutical Formulary.

Penalty: \$1,000.

**PART V—MISCELLANEOUS*****Division 1—Review of decisions*****Review of decisions**

**54.** Application may be made to the Tribunal for review of a decision of the Board—

- (a) under subsection 11 (4), 13 (1) or 26 (2) to impose conditions on the registration of a person;
- (b) under subsection 12 (4) to cancel the interim registration of a person;
- (c) under subsection 13 (2) to refuse to review, or to alter or remove conditions imposed on the registration of a person;
- (d) under subsection 13 (2) to impose new conditions on the registration of a person;
- (e) under section 19 to refuse to register a person;
- (f) under subsection 25 (4) or 30 (4) or section 40 to refuse to re-register a person;
- (g) under subsection 25 (3), section 35, subsection 36 (1), section 37 or subsection 39 (4) to cancel the registration of a person;
- (h) under section 35, subsection 36 (1), section 37 or subsection 39 (4) or 41 (2) to suspend the registration of a person;
- (j) under subsection 36 (2) to direct a person not to provide a pharmaceutical service;
- (k) under subsection 36 (3) to refuse to review an order, or amend or remove an order, directing a person not to provide a pharmaceutical service;
- (m) under section 38 to take any action of the kind referred to in that section in relation to a registered pharmacist;
- (n) under subsection 39 (1) to impose a fine on a registered pharmacist;
- (o) under subsection 40 (2) to refuse to terminate the suspension of registration of a pharmacist;
- (p) under section 43 to refuse to extend beyond 6 months the period during which the executor or executrix of the will of a deceased pharmacist, or the administrator, administratrix or trustee of the estate

of a deceased pharmacist, may continue the business of the pharmacist; or

- (q) under section 43 to fix a period longer than 6 months during which the executor or executrix of the will of a deceased pharmacist, or the administrator, administratrix or trustee of the estate of a deceased pharmacist may continue the business of the pharmacist.

### Notification of decisions

**55. (1)** Where a decision of the kind referred to in section 54 (other than paragraph (b), (h), (j) or (n)) is made, the Board shall, within 28 days after the date of the decision, give notice in writing of the decision—

- (a) in the case of a decision referred to in paragraph 54 (a)—to the person on whose registration conditions have been imposed;
- (b) in the case of a decision referred to in paragraph 54 (c)—to the person whose registration is subject to the condition;
- (c) in the case of a decision referred to in paragraph 54 (d)—to the person on whose registration the new conditions are imposed;
- (d) in the case of a decision referred to in paragraph 54 (e)—to the person whose application for registration has been refused;
- (e) in the case of a decision referred to in paragraph 54 (f)—to the person whose application for re-registration has been refused;
- (f) in the case of a decision referred to in paragraph 54 (g)—to the person whose registration has been cancelled;
- (g) in the case of a decision referred to in paragraph 54 (k)—to the person in relation to whom the order was made;
- (h) in the case of a decision referred to in paragraph 54 (m)—to the registered pharmacist in relation to whom the action has been taken;
- (j) in the case of a decision referred to in paragraph 54 (o)—to the person whose registration has been suspended; or
- (k) in the case of a decision referred to in paragraph 54 (p) or (q)—to the executor or executrix of the will of the deceased pharmacist or the administrator, administratrix or trustee of the estate of the deceased pharmacist.

**(2)** A notice under subsection 12 (4) or subsection (1) of this section, or under section 31 of the *Health Professions Boards (Procedures) Act 1981*, shall—



- (a) include a statement to the effect that, subject to the *Administrative Appeals Tribunal Act 1989*, an application may be made to the Administrative Appeals Tribunal for a review of the decision to which the notice relates; and
  - (b) except where subsection 26 (11) of that Act applies—include a statement to the effect that a person whose interests are affected by the decision may request a statement under section 26 of that Act.
- (3) An order under paragraph 35 (b) or 36 (1) (b), subsection 36 (2), paragraph 37 (b), subsection 39 (1), paragraph 39 (4) (b) or subsection 41 (2) shall—
- (a) have endorsed on it or attached to it a statement to the effect that, subject to the *Administrative Appeals Tribunal Act 1989*, an application may be made to the Administrative Appeals Tribunal for a review of the decision to make the order; and
  - (b) except where subsection 26 (11) of the *Administrative Appeals Tribunal Act 1989* applies—have endorsed on it or attached to it a statement to the effect that a person whose interests are affected by the decision may request a statement under section 26 of that Act.
- (4) The validity of a decision referred to in subsection (2) or (3) is not to be taken to be affected by a failure to comply with that subsection.

### *Division 2—General*

#### **Inspection of Register**

- 56. (1)** A person may, on payment of the determined fee—
- (a) inspect an entry in the Register; and
  - (b) obtain a certified copy of an entry in the Register.
- (2) The Board may, on request by the registration authority of a State, Territory or place outside Australia and without payment by the registration authority of a fee, forward a certified copy of the Register to that registration authority.

**Power of Minister to determine fees**

**57.** The Minister may, by notice in writing published in the *Gazette*, determine fees for the purposes of this Act.

**Obstruction an offence**

**58.** Any person who—

- (a) assaults or by force molests or obstructs or intimidates any person in the performance of his or her duty under this Act; or
- (b) refuses to permit any person thereto authorized in writing by the Chairperson to examine books, papers, records, drugs or articles or to produce such for examination,

shall be guilty of an offence.

Penalty: \$500.

**Penalty for offences**

**59.** A person who commits a breach of a provision of this Act for which no other penalty is provided is guilty of an offence and punishable, on conviction by a fine not exceeding \$250.

**Regulations**

**60.** The Executive may make Regulations, not inconsistent with this Act prescribing all matters which are required or permitted to be prescribed, or which by this Act are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and, in particular, prescribing matters providing for and in relation to—

- (b) the forms to be used for the purposes of the Act;
  - (c) the construction, conduct and equipment of premises at which the business of a pharmacy is carried on; and
  - (h) the imposition of penalties not exceeding \$500 which may be imposed for breaches of the Regulations.
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## NOTE

1. The *Pharmacy Act 1931* as shown in this reprint comprises Act No. 10, 1931 amended as indicated in the Tables below.

Citation of Laws—The *Self-Government (Citation of Laws) Act 1989* (No. 21, 1989) altered the citation of most Ordinances so that after Self-Government day they are to be cited as Acts. That Act also affects references in ACT laws to Commonwealth Acts.

Table 1

Table of Ordinances

Ordinance	Number and year	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
<i>Pharmacy Ordinance 1931</i>	10, 1931	4 June 1931	15 July 1931 (see <i>Gazette</i> 1931, p. 1067)	
<i>Pharmacy Ordinance 1933</i>	21, 1933	28 Sept 1933	28 Sept 1933	—
<i>Ordinances Revision Ordinance 1937</i>	27, 1937	23 Dec 1937	23 Dec 1937	—
<i>Ordinances Revision Ordinance 1959</i>	21, 1959	23 Dec 1959	31 Dec 1959	—
<i>Pharmacy Ordinance 1964</i>	22, 1964	14 Jan 1965	14 Jan 1965	—
<i>Ordinances Revision (Decimal Currency) Ordinance 1966</i>	19, 1966	23 Dec 1966	23 Dec 1966	—
<i>Pharmacy Ordinance 1967</i>	18, 1967	8 June 1967	8 June 1967	—
<i>Pharmacy Ordinance 1970</i>	37, 1970	22 Oct 1970	22 Oct 1970	—
<i>Pharmacy Ordinance 1971</i>	18, 1971	23 Sept 1971	23 Sept 1971	—
<i>Pharmacy Ordinance 1972</i>	44, 1972	21 Dec 1972	21 Dec 1972	—
<i>Pharmacy Ordinance 1973</i>	31, 1973	2 Aug 1973	2 Aug 1973	—
<i>Ordinances Revision (Age of Majority) Ordinance 1974</i>	47, 1974	24 Oct 1974	1 Nov 1974	—
<i>Ordinances Revision (Health Commission) Ordinance 1975</i>	17, 1975	1 July 1975	1 July 1975	—
<i>Pharmacy Ordinance 1975</i>	43, 1975	10 Nov 1975	10 Nov 1975	—
<i>Ordinances Revision Ordinance 1977</i>	65, 1977	22 Dec 1977	22 Dec 1977	—
<i>Ordinances Revision Ordinance 1978</i>	46, 1978	28 Dec 1978	28 Dec 1978	—
<i>Ordinances Revision (Penalties) Ordinance 1979</i>	26, 1979	31 Aug 1979	31 Aug 1979	—
<i>Pharmacy (Amendment) Ordinance 1980</i>	50, 1980	23 Dec 1980	17 Feb 1981 (see <i>Gazette</i> 1981, No. S27)	S. 9
<i>Pharmacy (Amendment) Ordinance 1981</i>	51, 1981	9 Dec 1981	31 Dec 1981 (see <i>Gazette</i> 1981, No. S273, p. 3)	S. 14

**NOTE**—continued**Table of Ordinances**—continued

Ordinance	Number and year	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
<i>Pharmacy (Amendment) Ordinance 1982</i>	32, 1982	28 June 1982	30 June 1982 (see <i>Gazette</i> 1982, No. S139, p. 2)	S. 15
<i>Pharmacy (Amendment) Ordinance (No. 2) 1982</i>	44, 1982	30 June 1982	30 June 1982	—
<i>Pharmacy (Amendment) Ordinance 1984</i>	64, 1984	2 Nov 1984	22 Feb 1985 (see <i>Gazette</i> 1985, No. G7, p. 631)	—
<i>Self-Government (Consequential Amendments) Ordinance 1989</i>	38, 1989	10 May 1989	Ss. 1 and 2: 10 May 1989 Remainder: 11 May 1989 (see s. 2 (2) and <i>Gazette</i> 1989, No. S164)	—

**Self-Government day 11 May 1989**

Table 2

**Table of Acts**

Act	Number and year	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
<i>Sexually Transmitted Diseases (Amendment) Act 1990</i>	61, 1990	21 Dec 1990	21 Dec 1990	—
<i>Health Services (Consequential Provisions) Act 1990</i>	63, 1990	28 Dec 1990	Ss. 1 and 2: 28 Dec 1990 Remainder: 31 Jan 1991 (see s. 2 (2) and <i>Gazette</i> 1991, No. S4)	Ss. 6-17
<i>Health (Consequential Provisions) Act 1993</i>	14, 1993	1 Mar 1993	1 Mar 1993 (see s. 2)	Parts IV-VI (ss. 14-34)
<i>Pharmacy (Amendment) Act 1993</i>	88, 1993	17 Dec 1993	Ss. 1-3: 17 Dec 1993 Remainder: 1 Jan 1994 (see <i>Gazette</i> 1993, No. S279, p. 2)	Part III (ss. 21-28)
<i>Statute Law Revision Act 1994</i>	26, 1994	31 May 1994	31 May 1994	—

**NOTE**—continued**Table of Amendments**

The amendment history of the *Pharmacy Act 1931* prior to renumbering by the *Pharmacy (Amendment) Act 1993* (No. 88, 1993) appears in Table 1 below.

**Table 1**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
Long title .....	am. Act No. 88, 1993
Ss. 2, 3.....	rep. No. 64, 1984
S. 4 .....	rep. No. 65, 1977
S. 5 .....	am. No. 21, 1959
	rs. No. 18, 1967
	am. No. 18, 1971; No. 17, 1975; No. 46, 1978; No. 50, 1980; No. 51, 1981; No. 32, 1982; No. 64, 1984; No. 38, 1989; Act No. 88, 1993
Ss. 5A, 5B.....	ad. Act No. 88, 1993
S. 6 .....	am. No. 51, 1981
S. 7 .....	am. No. 21, 1959; No. 18, 1967; No. 18, 1971; No. 17, 1975; No. 50, 1980; No. 51, 1981; Act No. 88, 1993
S. 8 .....	rep. No. 51, 1981
	ad. No. 64, 1984
	am. Act No. 88, 1993
S. 9.....	rs. No. 50, 1980
	rep. No. 51, 1981
	ad. No. 64, 1984
	am. Act No. 88, 1993
S. 9A .....	ad. No. 50, 1980
	rep. No. 51, 1981
S. 10 .....	rs. No. 21, 1933
	am. No. 21, 1959
	rep. No. 51, 1981
S. 11 .....	am. No. 50, 1980
	rep. No. 51, 1981
S. 12 .....	am. No. 18, 1967; No. 37, 1970
	rep. No. 51, 1981
Ss. 13, 14.....	rep. No. 51, 1981
Ss. 15, 16.....	am. No. 19, 1966; No. 26, 1979
	rep. No. 51, 1981
S. 17 .....	rep. No. 26, 1979
S. 18 .....	rep. No. 51, 1981
S. 19 .....	rep. No. 44, 1982
S. 20 .....	rep. No. 64, 1984
Heading to Part III.....	am. Act No. 88, 1993
Div. 1 of Part III (ss. 10-18)	ad. Act No. 88, 1993
Ss. 10-18 .....	ad. Act No. 88, 1993
Div. 2 of Part III (ss. 19-23)	ad. Act No. 88, 1993

**NOTE**—continued**Table of Amendments**—continued**Table 1**—continued

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
Ss. 19, 20.....	ad. Act No. 88, 1993
S. 21 .....	rs. Act No. 88, 1993
S. 22 .....	am. No. 50, 1980; No. 32, 1982
	rs. Act No. 88, 1993
S. 23 .....	rep. No. 21, 1959
	ad. No. 32, 1982
	rs. Act No. 88, 1993
Div. 3 of Part III (ss. 24, 24A-24D)	ad. Act No. 88, 1993
S. 24 .....	am. No. 21, 1933; No. 27, 1937; No. 21, 1959
	rs. No. 32, 1982; Act No. 88, 1993
Ss. 24A-24D .....	ad. Act No. 88, 1993
Div. 4 of Part III (ss. 24E-24G)	ad. Act No. 88, 1993
Ss. 24E-24G .....	ad. Act No. 88, 1993
Heading to Div. 5 of Part III	ad. Act No. 88, 1993
S. 25 .....	am. No. 47, 1974
	rs. No. 43, 1975; No. 32, 1982
	am. Act No. 88, 1993
S. 26 .....	am. No. 27, 1937
	rep. No. 51, 1981
	rs. No. 32, 1982
	rep. Act No. 88, 1993
S. 27 .....	rs. No. 32, 1982
	am. Act No. 88, 1993
S. 28 .....	am. No. 19, 1966; No. 26, 1979
	rs. No. 32, 1982
	am. Act No. 88, 1993
S. 29 .....	rs. No. 32, 1982
	rep. Act No. 88, 1993
S. 30 .....	rs. No. 18, 1967; No. 32, 1982
	rep. Act No. 88, 1993
S. 31 .....	am. No. 21, 1933
	rs. No. 32, 1982
	rep. Act No. 88, 1993
S. 31A.....	ad. No. 32, 1982
	rep. Act No. 88, 1993
S. 31B.....	ad. No. 32, 1982
S. 32 .....	am. No. 21, 1933; No. 27, 1937; No. 51, 1981; No. 32, 1982
	rs. No. 64, 1984; Act No. 88, 1993
S. 32A.....	ad. No. 64, 1984
	rs. Act No. 88, 1993

**NOTE**—continued**Table of Amendments**—continued**Table 1**—continued

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

Provision	How affected
Ss. 32B-32E.....	ad. Act No. 88, 1993
S. 33 .....	am. No. 51, 1981; No. 32, 1982 rs. No. 64, 1984 am. Act No. 88, 1993
S. 33A .....	ad. No. 51, 1981 am. No. 32, 1982; No. 64, 1984 rep. Act No. 88, 1993
S. 34 .....	am. No. 19, 1966 rs. No. 26, 1979 rep. No. 32, 1982 ad. No. 64, 1984 rep. Act No. 88, 1993
S. 35 .....	am. No. 19, 1966; No. 26, 1979 rs. No. 32, 1982 am. No. 64, 1984; Act No. 88, 1993
S. 35A .....	ad. No. 64, 1984 am. Act No. 88, 1993
S. 36 .....	rs. No. 64, 1984 am. Act No. 88, 1993
S. 37 .....	rs. No. 64, 1984
S. 38 .....	am. No. 31, 1973 rep. No. 64, 1984
S. 39 .....	rep. No. 32, 1982
Ss. 40, 41.....	am. Act No. 88, 1993
S. 42 .....	am. No. 21, 1933; No. 64, 1984; Act No. 88, 1993
S. 43 .....	am. No. 64, 1984; Act No. 88, 1993
S. 44 .....	am. No. 19, 1966; No. 26, 1979; Act No. 88, 1993
S. 45 .....	am. No. 19, 1966; No. 26, 1979; Act No. 61, 1990; No. 88, 1993
S. 46 .....	am. No. 19, 1966; No. 44, 1972; No. 26, 1979; No. 38, 1989; Act No. 61, 1990; No. 88, 1993
S. 47 .....	rs. No. 22, 1964 am. No. 19, 1966; No. 26, 1979; Act No. 88, 1993
Heading to Part V .....	am. No. 32, 1982
Div. 1 of Part V (ss. 47A, 47B)	ad. Act No. 88, 1993
Ss. 47A, 47B.....	ad. Act No. 88, 1993
Heading to Div. 2 of Part V	ad. Act No. 88, 1993
S. 48 .....	rep. No. 51, 1981 ad. No. 32, 1982 am. Act No. 88, 1993
S. 49 .....	am. No. 21, 1933; No. 18, 1967; No. 37, 1970; No. 17, 1975 rep. No. 51, 1981

**NOTE**—continued**Table of Amendments**—continued**Table 1**—continued

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted	
Provision	How affected
	ad. No. 44, 1982 am. Act No. 63, 1990 rep. No. 14, 1993
S. 50 .....	am. No. 19, 1966 rs. No. 26, 1979 rep. No. 51, 1981 ad. No. 64, 1984
S. 51 .....	am. No. 19, 1966; No. 26, 1979; Act No. 88, 1993
S. 52 .....	am. No. 19, 1966 rs. No. 26, 1979 ad. No. 64, 1984
S. 53 .....	rep. No. 51, 1981 ad. No. 64, 1984 am. No. 38, 1989 rep. Act No. 88, 1993
Heading to Part VI .....	rep. No. 32, 1982
S. 54 .....	am. No. 21, 1933; No. 19, 1966; No. 51, 1981; No. 32, 1982; No. 64, 1984; No. 38, 1989

The amendment history of the *Pharmacy Act 1931* after renumbering by the *Pharmacy (Amendment) Act 1993* appears in Table 2 below.

**Table 2**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted	
Provision	How affected
S. 2 .....	am. No. 26, 1994
S. 41 .....	am. No. 26, 1994



TABLE SHOWING NEW SECTION NUMBERS OF THE *PHARMACY ACT 1931* AFTER  
 RENUMBERING BY THE *PHARMACY (AMENDMENT) ACT 1993* (No. 88, 1993)

**NOTE—This Table does not form part of the *Pharmacy Act 1931* and is printed for convenience of reference only.**

Old number	New number	Old number	New number	Old number	New number
Section	Section	Section	Section	Section	Section
5	2	23	22	35	42
5A	3	24	23	35A	43
5B	4	24A	24	36	44
6	5	24B	25	37	45
7	6	24C	26	40	46
8	7	24D	27	41	47
9	8	24E	28	42	48
10	9	24F	29	43	49
11	10	24G	30	44	50
12	11	25	31	45	51
13	12	27	32	46	52
14	13	28	33	47	53
15	14	31B	34	47A	54
16	15	32	35	47B	55
17	16	32A	36	48	56
18	17	32B	37	50	57
19	18	32C	38	51	58
20	19	32D	39	52	59
21	20	32E	40	54	60
22	21	33	41		