

Australian Capital Territory

# Public Health (Community Pharmacy) Code of Practice 2016 (No 1)

Disallowable instrument DI2016–11

made under the

**Public Health Act 1997, s 133 (Codes of practice)**

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## 1. Name of instrument

This instrument is the *Public Health (Community Pharmacy) Code of Practice 2016 (No 1)*.

## 2. Commencement

This instrument commences on the day after its notification day.

## 3. Revocation

This instrument revokes DI2012-211, being the Public Health (Community Pharmacy) Code of Practice 2012 (No 1), dated 31 August 2012.

## 4. Determination

I determine the document at Schedule 1 entitled *Community Pharmacy Code of Practice 2016* to be a code of practice under the *Public Health Act 1997*.

Meegan Fitzharris MLA  
Assistant Health Minister

24 February 2016



# Community Pharmacy Code of Practice 2016

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### Disclaimer

The requirements outlined in this Code of Practice are in addition to any provisions under ACT legislation such as the *Medicines, Poisons and Therapeutic Goods Act 2008* and Part 9 of the *Public Health Act 1997*.

In the case of any conflict or discrepancy between this document and legislation, the legislation prevails.

## 1. TERMINOLOGY

### a) Meaning of commonly used terms.

*Chief Health Officer* see the *Public Health Act 1997*, section 7.

*Pharmacist* see the *Legislation Act 2001*, dictionary.

*Pharmacist in Charge* means the pharmacist present at the community pharmacy while it is trading that has control of, and is responsible for:

- i. the sale and supply of medicines or drugs,
- ii. the compounding and dispensing of prescriptions; and
- iii. the provision of advice and guidance on the use of medicines and drugs.

*Public place* means a place to which the public or a section of the public has access, but excludes a supermarket.

#### **Example**

A shopping centre.

*Public Trustee* see the *Public Trustee Act 1985*, dictionary.

*Supermarket* see the *Public Health Act 1997*, section 66X.

## 2. REFERENCE WORKS

- a) A community pharmacy's premises are to have available current editions or versions of all references listed in the *Pharmacy Board of Australia, Guidelines on Practice-Specific Issues – Guideline 1 (List of References)*. The list of references is accessible at <http://www.pharmacyboard.gov.au/Codes-Guidelines.aspx>
- b) The information must be available to the pharmacist immediately during the dispensing process.
- c) Substitution of the references listed in the *Pharmacy Board of Australia, Guidelines on Practice-Specific Issues – Guideline 1 (List of References)* with unlisted texts is not acceptable.
- d) The required references may be kept in a form as outlined in the *Pharmacy Board of Australia, Guidelines on Practice-Specific Issues – Guideline 1 (List of References)*.

### **3. PREMISES REQUIREMENTS**

- a) A community pharmacy's premises are to:
  - i. consist of an enclosed area with direct access to a public place.
  - ii. contain an area set aside for the dispensing of items on prescription that is not less than 8 square metres.
  - iii. have at least 1 square metre of free working space, which is not less than 40cm wide for the dispensing of prescriptions.
  - iv. be in a hygienic condition and be adequately ventilated.
  - v. have adequate lighting.
  - vi. contain facilities for the secure and appropriate storage of medicines and pharmaceutical products, including refrigeration.
  - vii. be constructed in such a manner as to allow a pharmacist to supervise effectively the whole of that part of the premises used in the practice of pharmacy and the activities of persons in that part of the premises.
  - viii. have appropriate equipment for the accurate dispensing of all prescriptions including the compounding of extemporaneous preparations.
  - ix. be so constructed such that the pharmacist can supervise the sale of the scheduled medicines and that a space is provided for the confidential counselling of patients.
  - x. have a dedicated fax facility for the receipt of urgent communications.

### **4. COMPLIANCE WITH ACT PHARMACIST VACCINATION STANDARDS**

- a) A community pharmacy licence-holder must take reasonable steps to ensure that any vaccine administered by an authorised pharmacist without a prescription on the pharmacy premises is administered in accordance with any direction made by the Chief Health Officer under the Medicines, Poisons and Therapeutic Goods Regulation 2008.

## 5. CONDUCT OF BUSINESS

- a) A community pharmacy licence-holder must not keep or maintain any premises for selling or supplying medicines or drugs, or for compounding or dispensing prescriptions unless the premises is, while open for business, constantly under the control of a pharmacist (the *pharmacist in charge*).
- b) The name of the *pharmacist in charge* must be displayed followed by the words 'Pharmacist in Charge'.
- c) Names of all persons practising as a pharmacist in a community pharmacy must be displayed in a public place in a clearly legible notice in the premises.

## 6. OPERATION OF A PHARMACY ON DEATH OF A PHARMACIST

- a) This section applies if-
  - i. A pharmacist dies, and
  - ii. At the time of the pharmacist's death, the pharmacist was licensed to operate a community pharmacy.
- b) An executor of the deceased pharmacist's estate, or the public trustee if no executor was appointed, may apply to the Chief Health Officer for approval to operate the deceased pharmacist's pharmacy to allow for the sale or disposal of the pharmacy.
- c) The application must be in writing outlining the circumstances of the request, including details about the executor or close relative. The application must be sent within 10 working days of the death of the pharmacist.
- d) The Chief Health Officer may approve the application, authorising the person to operate the pharmacy for a period of up to 12 months to allow for the sale or disposal of the pharmacy.
- e) The approval will be issued subject to the condition that:
  - i. the pharmacy is under the direct, personal control of a pharmacist at all times when the pharmacy is being operated,
  - ii. the approved person comply with this code of practice; and
  - iii. the approved person comply with any conditions that were imposed on the licence held by the deceased pharmacist remain in force.