



**BERMUDA**

**PHARMACY AND POISONS ACT 1979**

**1979 : 26**

TABLE OF CONTENTS

PART I  
PRELIMINARY

- 1 Short title
- 2 Interpretation

PART II  
THE PHARMACY COUNCIL

- 3 The Pharmacy Council
- 4 Membership of the Council
- 4A Functions of the Council
- 4B Protection from personal liability
- 4C Annual Report
- 5 Proceedings of the Council, etc

PART III  
REGISTRATION OF PHARMACISTS

- 6 Offence to practise pharmacy if not registered
- 7 Registration as a pharmacist
- 7A Re-registration as non-practising member
- 7AA Period of validity of registration
- 8 Code of Conduct
- 9 Pharmacy Profession Complaints Committee
- 10 Investigation of complaint by Committee
- 10A Inquiry into complaint by Council
- 10B Inquiry by Council of its own initiative
- 11 Surrender of registration
- 12 Restoration of name to register

## PHARMACY AND POISONS ACT 1979

---

- 13 Proof of registration
- 14 Appeals
- 14A Fees
- 14B Amendment of Seventh Schedule
- 15 Regulations for this part

### PART IV REGISTRATION OF PHARMACIES

- 16 Register of pharmacies
- 17 Registration of premises as registered pharmacies
- 18 Unfit premises: new applications
- 19 Unfit premises: registered pharmacies
- 20 Appeals
- 21 When certificates of unfitness take effect
- 22 Regulations for this Part

### PART V CONTROL OF PRESCRIPTIONS AND IMPORTATION

- 23 Prescriptions to be in a certain form
- 23A Validity of a prescription
- 24 Supply by registered pharmacist of equivalent medicines
- 25 Restrictions on the importation of medicines
- 26 Declaration relating to imported medicines *[repealed]*

### PART VI CONTROL OF DRUGS

- 27 Certain substances to be sold on prescription only
- 28 Certain substances to be available at pharmacies only
- 29 Restrictions on dispensing
- 30 Prohibition on giving away Schedule 3 or Schedule 4 drugs
- 31 Unfit drugs *[repealed]*
- 31A Health and safety requirements
- 31B Orders and notices to prohibit supply of a drug or drug product
- 31C Suspension notices
- 31D Application to set aside a suspension notice
- 31E Power to obtain information

### PART VII CONTROL OF POISONS

- 32 Prohibition of sale of poison without licence
- 33 Poisons
- 34 Licences to sell poisons
- 35 Revocation of licences
- 36 Appeals
- 37 Poisons Book
- 38 Sale of poisons to unknown persons prohibited
- 39 Sale of poisons to persons under 18 prohibited

## PHARMACY AND POISONS ACT 1979

---

- 40 Labelling of poisons
- 41 Sale of poisons to intoxicated persons etc. prohibited
- 42 Method of keeping poisons
- 43 Statement of proportion of poison in preparations
- 44 Liquid preparations containing poison

### PART VIII MISCELLANEOUS

- 45 Wholesale transactions
- 46 Dispensing records
- 46A Prescription drug pricing
- 47 Dishonest sales
- 48 Regulations for Parts VI and VII
- 48A Minister may by order amend the Third or Fourth Schedule
- 48B Minister may provisionally add or remove drugs in the Third or Fourth Schedule
- 49 Minister may obtain reports on drugs and poisons
- 50 Minister may obtain information on prices
- 51 Inspections
- 51A Notice of test
- 51B Compensation
- 52 Service of documents
- 53 Transitional
- 54 Student pharmacists
- 55 Offences
- 56 Repeal *[omitted]*
- 57 Commencement *[omitted]*

#### FIRST SCHEDULE

#### SECOND SCHEDULE

List of Practitioners

#### THIRD SCHEDULE

Drugs obtainable only on prescription except where specified in the Fourth Schedule (part I and Part II)

#### FOURTH SCHEDULE

##### PART I

#### FIFTH SCHEDULE

Pharmacy Profession Complaints Committee

#### SIXTH SCHEDULE

Prohibition Orders, Prohibition Notices and Notices to Warn

#### SEVENTH SCHEDULE

*[preamble and words of enactment omitted]*

## PHARMACY AND POISONS ACT 1979

---

### PART I PRELIMINARY

#### Short title

1 This Act may be cited as the Pharmacy and Poisons Act 1979.

#### Interpretation

2 In this Act, unless the context otherwise requires—

“appropriate fee” means a fee referred to in section 14A;

“Association” means the professional association representing pharmacists in Bermuda;

“Bermuda Health Council” means the Bermuda Health Council established under section 3 of the Bermuda Health Council Act 2004;

“certificate of competence” means a certificate of competence granted by the Council under regulations made under section 15(1)(b);

“Code” means the code of conduct referred to in section 8;

“continuing professional development” means the minimum hours of continuing professional development required under section 7(5A)(d);

“the Council” means the Pharmacy Council established by section 3;

“dentist” means a dental practitioner registered under the Dental Practitioners Act 1950 [*title 30 item 4*] or an exempted dental practitioner within the meaning of that Act;

“dispense,” with its grammatical variations, in relation to a medicine or a poison, means the preparation and supplying in such manner of a medicine or a poison on and in accordance with a prescription given by a duly qualified practitioner as to ensure the pharmaceutical and therapeutic suitability to the circumstances for which it is prescribed;

“drug” means a substance or combination of substances used, or for use in or on the body of a person or animal—

(a) to prevent, diagnose, treat or mitigate a disease, disorder or abnormal physical or mental state or symptom of them; or

(b) to restore, correct or modify organic functions, and includes a prescribed substance or combination of substances;

“drug product” means a manufactured product that contains a drug including tablets, pills, capsules, caplets, creams, powders, transdermal patches or liquids;

“functions” includes powers and duties;

“medicinal use” means—

## PHARMACY AND POISONS ACT 1979

---

- (a) use by being administered to one or more human beings or animals; or
- (b) use as an ingredient in the preparation of a substance or article which is to be administered to one or more human beings or animals;  
for—
  - (i) treating or preventing disease;
  - (ii) diagnosing disease or ascertaining the existence, degree or extent of a physiological condition;
  - (iii) contraception;
  - (iv) inducing anaesthesia; or
  - (v) otherwise preventing or interfering with the normal operation of a physiological function, whether permanently or temporarily, and whether by way of terminating, reducing or postponing, or increasing or accelerating, the operation of that function or in any other way;

“Minister” means the Minister responsible for Health;

“non-practising pharmacist” means a person who is registered as a pharmacist section 7A but who is not practising pharmacy in Bermuda;

“physician” means a medical practitioner registered under the Medical Practitioners Act 1950 [*title 30 item 8*] or an exempted medical practitioner within the meaning of that Act;

“poison” has the meaning assigned thereto in section 33;

“practitioner” includes any of the professions listed in the Second Schedule;

“prescribed” means prescribed by regulations;

“prescription” means a prescription issued by any of the practitioners listed in the Second Schedule;

“register” means the register of pharmacists kept under section 7(2);

“registered pharmacist” means a person registered pursuant to section 7(4) and (4B);

“registered pharmacy” has the meaning assigned thereto in section 17(3);

“Registrar” means—

- (a) with respect to pharmacists, the official for whose appointment section 7(1) provides;
- (b) with respect to pharmacies, the Chief Medical Officer;

“regulation” means regulation made under section 15, 22 or 48;

“relevant professional body”, in relation to registered pharmacists, means the Bermuda Pharmaceutical Association;

## PHARMACY AND POISONS ACT 1979

---

“Schedule 3 drug” has the meaning assigned thereto in section 25(6);

“Schedule 4 drug” has the meaning assigned thereto in section 28(1);

“veterinary practitioner” means a person who holds a certificate issued under the Veterinary Practitioners Act 2008.

*[Section 2, “veterinary practitioner” amended by 2008 : 20 s.17 & Sch. 2 effective 9 July 2010; Section 2, “Schedule 3 drug” amended by 2011 : 31 s. 2 effective 10 August 2011; Section 2 “Association”, “drug”, “drug product”, “non-practising pharmacist” inserted, “practitioner” and “a prescription” deleted and substituted and “registered pharmacist” amended by 2013 : 48 s. 2 effective 24 December 2013; Section 2 definition “Registrar” repealed and replaced, definitions “appropriate fee”, “Bermuda Health Council”, “Code”, “continuing professional development” and “register” inserted by 2020 : 47 s. 105 effective 11 December 2020]*

### PART II

#### THE PHARMACY COUNCIL

##### The Pharmacy Council

3 There shall be established a body called the Pharmacy Council, whose general function shall be to secure high standards of professional competence and conduct in the practice of pharmacy in Bermuda, and who shall have such other functions as may be assigned to the Council by any statutory provision.

##### Membership of the Council

4 (1) The Council shall consist of—

- (a) a chairman appointed by the Minister;
- (aa) one member, who shall be a representative of the Association, appointed by the Minister;
- (ab) one member, who shall not be a registered pharmacist, appointed by the Minister as a person appearing to him to be qualified by his training or experience or both to assist the Council in matters of a legal or ethical nature;
- (b) one member, who shall be a practitioner, appointed by the Minister; and
- (c) four members elected by registered pharmacists from among themselves.

(2) The Council may co-opt a representative of the Bermuda Pharmacy Owners Association to any of their meetings but such a representative shall not have a vote.

*[Section 4 subsection (1)(aa) inserted and subsection (1)(c) amended by 2013 : 48 s. 3 effective 24 December 2013; Section 4 subsection (1) amended by 2018 : 66 s. 2 effective 10 January 2019; Section 4 subsection (1)(ab) inserted by 2022 : 3 s. 2 effective 9 March 2022]*

##### Functions of the Council

4A The Council shall, in addition to any other function under this Act, make periodic reviews of the Act for the purpose of making recommendations to the Minister as to any

## **PHARMACY AND POISONS ACT 1979**

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necessary amendments to the Act generally, and with particular reference to the Third and Fourth Schedules.

### **Protection from personal liability**

4B A member of the Council shall not be personally liable for damages for anything done or omitted to be done in the discharge or purported discharge of the Council's functions under this Act unless the act or omission was in bad faith.

*[Section 4B inserted by 2013 : 48 s. 4 effective 24 December 2013]*

### **Annual Report**

4C The Council shall submit to the Minister, at such time as the Minister may determine after the end of each year, an annual report concerning such activities of the Council as the Minister may prescribe.

*[Section 4C inserted by 2020 : 47 s. 106 effective 11 December 2020]*

### **Proceedings of the Council, etc**

5 The provisions in the First Schedule shall have effect with respect to the Council.

## **PART III**

### **REGISTRATION OF PHARMACISTS**

#### **Offence to practise pharmacy if not registered**

6 (1) It shall be unlawful for an individual to practise pharmacy unless at the time—

- (a) he is a registered pharmacist; and
- (b) he operates, or is employed at, premises which are a registered pharmacy.

(2) A person shall be deemed to be practising pharmacy for the purposes of this Act if, in the way of trade or business in Bermuda, he takes or uses a title, or holds himself out as engaging in a profession, being a title or profession to which this subsection applies.

(3) The titles and professions to which subsection (2) applies are those of pharmacist, chemist, druggist, chemist and druggist, dispensing chemist and dispensing druggist, and any other suggesting a connexion with the business of compounding or dispensing medicines.

#### **Registration as a pharmacist**

7 (1) There shall be a Registrar, for the purposes of this Act to be known as the Registrar of Pharmacists.

(1A) The Chief Executive Officer of the Bermuda Health Council shall be the Registrar of Pharmacists.

## PHARMACY AND POISONS ACT 1979

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(1B) The Registrar may, subject to such conditions as he may consider appropriate, in writing delegate such functions conferred on him on such terms as he considers appropriate to an officer of the Bermuda Health Council.

(1C) A delegation under subsection (1B) may—

- (a) be made subject to such conditions, qualifications and exceptions as the Registrar may specify in the instrument of delegation;
- (b) be revoked or varied by a subsequent instrument.

(1D) The Statutory Instruments Act 1977 does not apply in respect of an instrument made under this section.

(2) The Registrar shall establish and maintain a register of pharmacists for the purposes of this Act.

(3) The register of pharmacists shall be kept at the offices of the Registrar, and be available for inspection by the public at all reasonable times without charge.

(4) Where a person applies in the required form to the Registrar and pays the appropriate fee the Council shall, if the person is qualified for registration as a pharmacist under this Act, direct the Registrar to register him as a pharmacist under this Act by causing his name and the prescribed particulars relating to him to be entered in the register of pharmacists and giving him a certificate of registration in the prescribed form.

(4A) A person who has been registered under subsection (4) shall apply for re-registration every two years after the first registration or within such longer period than two years but not exceeding three years as may be specified in the certificate of registration issued to him pursuant to section 7AA.

(4B) The Council may approve an application for re-registration under subsection (4A) and issue a certificate of re-registration to the person applying.

(5) Any individual other than a disqualified person shall, for the purposes of subsection (4), be qualified for registration as a pharmacist under this Act if he—

- (a) is fit and proper and possesses the appropriate qualifications and experience; and
- (b) possesses a certificate of competence granted to him by the Council for passing a written exam in pharmacy set by the Council; and
- (c) has had a minimum of six months' practical experience of which not less than one month after graduation has been spent under the supervision in Bermuda of a registered pharmacist.

(5A) A person applying for re-registration under subsection (4A) shall—

- (a) apply in the form required by the Council;
- (b) pay the appropriate fee;



## PHARMACY AND POISONS ACT 1979

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- (c) continue to meet the qualifications, experience and conduct as required in subsection (5);
- (d) meet the minimum amount of continuing professional development as required by the Council; and
- (e) meet the number of practice hours as required by the Council.

(6) Where the Council refuses or fails to register a person who makes an application under subsection (4), or refuses or fails to re-register a person who makes an application under subsection (4A) (hereinafter in this section called “applicant”), the applicant may appeal to the Supreme Court.

(7) An applicant may appeal to the Supreme Court under subsection (6) within 28 days after the decision is made (in this section referred to as “the appeal period”).

(7A) *[Repealed by 2020 : 47 s. 107]*

(8) *[Repealed by 2020 : 47 s. 107]*

(9) A list of registered pharmacists shall be published annually in the Gazette so soon as may be after the 1st day of January, and particulars of any alteration made in the register of pharmacists on or after that date in any year shall also be published in the Gazette.

*[Section 7 subsections (1),(3),(4) and (5) amended, subsections (6) and (8) deleted and substituted, subsection (7) deleted and inserted and subsections (4B),(5A) and (7A) inserted by 2013 : 48 s. 5 effective 24 December 2013; Section 7 amended by 2020 : 47 s. 107 effective 11 December 2020]*

### **Re-registration as non-practising member**

7A (1) A person who is registered under section 7(4) and is not practising pharmacy in Bermuda may re-register as a non-practising pharmacist in a form required by the Council and by paying the appropriate fee.

(2) The Registrar shall establish and maintain a register of non-practising pharmacists for the purposes of this Act.

(3) A person registered as a non-practising pharmacist shall not practise pharmacy in Bermuda.

(4) A non-practising pharmacist applying for re-registration to practise pharmacy shall—

- (a) apply in the form required by the Council;
- (b) pay the appropriate fee;
- (c) continue to meet the qualifications, experience and conduct requirements in section 7(5); and
- (d) meet the minimum amount and type of continuing professional development and practice hours as required by the Council.

## PHARMACY AND POISONS ACT 1979

---

(5) *[Repealed by 2020 : 47 s. 108]*

*[Section 7A inserted by 2013 : 48 s. 6 effective 24 December 2013; Section 7A subsection (5) repealed by 2020 : 47 s. 108 effective 11 December 2020]*

### **Period of validity of registration**

7AA (1) Unless sooner cancelled and subject to subsections (2) and (3), the registration of a pharmacist shall have effect for a period of two years from the date of his registration or such shorter period as may be specified in the certificate of registration issued to him.

(2) Subsection (3) applies where a person is registered as a pharmacist on a date that falls between the start, and end, of the applicable registration cycle for pharmacists.

(3) Where this subsection applies, the registration of the pharmacist may, if the Council so determines appropriate, have effect for such longer period than two years but not exceeding three years as may be specified in the certificate of registration issued to him.

*[Section 7AA inserted by 2020 : 47 s. 108 effective 11 December 2020]*

### **Code of Conduct**

8 (1) It shall be the duty of the Council to prepare, and from time to time as they think fit amend, a code of conduct which the Council considers to be conduct that is proper for registered pharmacists in a professional respect (hereinafter in this Act called “the Code”).

(2) The Council shall send to each registered pharmacist at his address on the register of pharmacists a copy of the Code and of any amendment made to the Code.

(2A) The Code may contain guides to ethical conduct, standards of practice or scopes of practice.

(3) In exercise of their powers under section 10A the Council shall, subject to subsection (4), be guided by any relevant provision of the Code.

(4) Where an inquiry has been conducted by the Council under sections 10A or 10B, the Council may find a person guilty of negligence, incompetence or other improper conduct notwithstanding that the conduct in question is not prohibited by the Code, but they shall not find a person guilty of improper conduct if that conduct is authorized by the Code.

*[Section 8 repealed and replaced by 2013 : 48 s. 7 effective 24 December 2013; Section 8 amended by 2020 : 47 s. 109 effective 11 December 2020]*

### **Pharmacy Profession Complaints Committee**

9 (1) There shall be established, in accordance with the Fifth Schedule, a committee to be known as the “Pharmacy Profession Complaints Committee” (hereinafter in this Act called “the Committee”).

(2) The functions of the Committee are—

## PHARMACY AND POISONS ACT 1979

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- (a) to receive and investigate, or cause to be investigated, complaints against any registered pharmacist including any allegation that—
    - (i) the pharmacist's registration was improperly obtained;
    - (ii) the pharmacist is guilty of professional misconduct;
    - (iii) the pharmacist is unfit to practise by reason of conviction of an indictable offence or adverse physical or mental health; or
    - (iv) the pharmacist is otherwise unfit to practise or to be registered; and
  - (b) to perform such other functions as may be prescribed.
- (3) The Committee may investigate any complaint based on matters alleged to have occurred—
- (a) inside or outside Bermuda; or
  - (b) at any time, whether or not at a time when the person complained against was registered as a pharmacist.
- (4) A complaint referred to in subsection (2)(a)—
- (a) shall be made by the complainant—
    - (i) if the complainant is a child or is physically or mentally unable to make the complaint, by the parent or guardian, friend or a person acting on behalf of the complainant; and
    - (ii) if the conduct complained of relates to a person who is dead, by the person's executor or personal representative;
  - (b) shall be in writing and addressed to the Committee;
  - (c) shall set out the matters alleged to constitute grounds for disciplinary action to be taken against the pharmacist who is the subject of the complaint;
  - (d) may be required by the Committee to be in a form approved by the Committee.
- (5) If the Committee considers that a complaint arose from a misunderstanding by the complainant or between the complainant and the pharmacist complained of, the Committee may, before proceeding further with the investigation of the complaint, require the parties to appear before it in order to discuss the matter with a view to clarifying the misunderstanding and resolving the matter informally.
- (6) The Fifth Schedule has effect as to the appointment and proceedings of the Committee and other matters relating to the Committee.

*[Section 9 repealed and replaced by 2013 : 48 s. 7 effective 24 December 2013]*

## PHARMACY AND POISONS ACT 1979

---

### **Investigation of complaint by Committee**

10 (1) Where a complaint under section 9(4) is not resolved informally as provided in section 9(5), the Committee shall investigate the complaint and determine whether, in its opinion, the complaint—

- (a) is frivolous or vexatious, is made in bad faith, is an abuse of process, or for any other reason, ought not to be referred to the Council; or
- (b) ought to be referred to the Council for decision.

(2) The Committee—

- (a) shall give written notice to the pharmacist who is the subject of the complaint that a complaint has been made, together with a summary of the matters alleged in the complaint;
- (b) shall request that the pharmacist who is the subject of the complaint show cause in writing, within a specified time after the notice is given, explaining why the matter should not be placed before the Council for determination; and
- (c) may take evidence from witnesses on oath or affirmation, administered by the Chairman.

(3) If the Committee determines that a complaint is frivolous or vexatious, is made in bad faith, is an abuse of process or otherwise ought not to be considered by the Committee, it shall dismiss the complaint and give written notice to the complainant of the dismissal and the reasons for the dismissal.

(4) If the Committee determines that a complaint ought to be referred to the Council for decision, the Committee shall, as soon as practicable, refer the matter to the Council.

*[Section 10 repealed and replaced by 2013 : 48 s. 7 e]ffective 24 December 2013]*

### **Inquiry into complaint by Council**

10A (1) If, pursuant to an investigation under section 10, the Committee places the matter before the Council for determination, the Council shall inquire into the matter.

(2) For the purposes of an inquiry of this section, the Council—

- (a) may take evidence from witnesses on oath or affirmation, and for that purpose the Chairman of the Council may administer an oath or affirmation;
- (b) shall afford the registered pharmacist and the Committee, or a member of the Committee, every facility—
  - (i) to appear before the Council;
  - (ii) to be represented by a barrister and attorney;
  - (iii) to call or cross-examine witnesses; and

## PHARMACY AND POISONS ACT 1979

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(iv) generally to make a full defence or explanation in the matter of the complaint.

(3) Following its inquiry, the Council shall make a decision as to whether the complaint is proved or not proved, in whole or in part, together with reasons for its decision.

(4) If the Council decides that a complaint is not proved, in whole or in part, it shall dismiss the complaint to the extent that it is not proved.

(5) If the Council decides that a complaint is proved, in whole or in part, it shall record a finding to that effect and it may make any order of a disciplinary nature that it sees fit in respect of a pharmacist against whom the complaint is made, including an order—

- (a) admonishing the pharmacist;
- (b) suspending the pharmacist from practice as a pharmacist for such period as it sees fit or for an indefinite period;
- (c) striking the name of the pharmacist off the register;
- (d) imposing conditions or limitations with regard to the pharmacist's practice as a pharmacist.

(6) The Council shall give written notice, to the pharmacist against whom a complaint is made, of its decision under subsection (3) and any order made by the Council under subsection (5), together with reasons.

(7) The pharmacist against whom the complaint is made may appeal against a decision or order of the Council in the manner provided in section 14.

(8) Any proceedings in connection with the holding of an inquiry by the Council under this section shall, for the purpose of the provisions of the Criminal Code Act 1907 relating to perjury, be deemed to be judicial proceedings.

(9) A member of the Council who was involved in the matter complained of may not participate in an inquiry by the Council under this section.

(10) A person who is suspended from practice under this section shall, for the duration of the suspension, be deemed not to be registered.

*[Section 10A inserted by 2013 : 48 s. 8 e]fective 24 December 2013]*

### **Inquiry by Council of its own initiative**

10B (1) In the absence of a complaint, the Council may, of its own initiative, hold an inquiry into any matter referred to in section 9(2) that could have formed the subject of an investigation by the Committee.

(2) The provisions of section 10A that apply in respect of an inquiry by the Council under that section shall apply to an inquiry under this section with any necessary modification.

*[Section 10B inserted by 2013 : 48 s. 8 e]fective 24 December 2013]*

## PHARMACY AND POISONS ACT 1979

---

### **Surrender of registration**

11 The Council may order the Registrar to erase from the register of pharmacists the name of a registered pharmacist against whom no matter of complaint is pending under sections 10A and 10B, if the registered pharmacist applies to the Council for the purpose and surrenders to him his certificate of registration.

*[Section 11 amended by 2013 : 48 s. 9 effective 24 December 2013; Section 11 amended by 2020 : 47 s. 110 effective 11 December 2020]*

### **Restoration of name to register**

12 (1) A person whose name has been removed from the register under section 11, or whose name has been struck from the register, or who has been suspended from practice under section 10A or 10B, may make an application to the Council, in a form determined by the Council, for his name to be restored to the register or for his suspension to be terminated.

(2) An application under subsection (1) for the restoration of a name to the register of pharmacists shall not be made to, or be considered by, the Council—

- (a) within twelve months after the date of removal, striking off or suspension;
- (b) within twelve months after a previous application under that subsection; or
- (c) where the Council in the direction ordering the erasure appointed a period within which another application should not be made under that subsection, within that period.

(3) On receipt of an application, the Council shall decide whether to restore the applicant's name to the register or to terminate his suspension, after considering the following matters—

- (a) the character and professional ability of the applicant;
- (b) the nature of the matter in respect of which the applicant's name was struck from the register or for which the applicant was suspended;
- (c) the conduct of the applicant after his name was struck from the register or after he was suspended;
- (d) any other circumstances appearing to the Council to be relevant.

(4) The Council shall give written notice to the applicant of its decision, together with reasons.

(5) An applicant may appeal against the decision of the Council in the manner provided in section 14.

*[Section 12 repealed and replaced by 2013 : 48 s. 10 effective 24 December 2013]*

## PHARMACY AND POISONS ACT 1979

---

### **Proof of registration**

13 A certificate signed by the Registrar certifying that a person named in the certificate is or, as the case may be, is not, a registered pharmacist and, in the case of a person to whom the certificate refers as being a registered pharmacist, specifying the date of registration, shall be admissible in any proceedings as prima facie evidence of the facts stated in the certificate.

*[Section 13 amended by 2020 : 47 s. 110 effective 11 December 2020]*

### **Appeals**

14 (1) A person aggrieved by any decision of the Council referred to in subsection (2) may, within 28 days after the date on which the decision is given to the person by the Council, appeal to the Supreme Court against the decision.

(2) The person referred to in subsection (1) may appeal against the following decisions—

- (a) a decision not to issue or renew a registration certificate;
- (b) a decision not to issue a re-registration certificate;
- (c) a decision to remove the name of a person from the register;
- (d) a decision to remove, or alter, any entry in the register in respect of a person;
- (e) a decision not to restore a person's name to the register;
- (f) a decision not to terminate a person's suspension.

(3) On an appeal under this section the Supreme Court may make such order in the matter as it thinks proper, including an order as to the costs of the appeal.

(4) An order of the Supreme Court under subsection (2) is final.

(5) The practice and procedure to be followed in relation to an appeal under this section are as prescribed by rules of court.

(6) The Council may appear as respondent on such appeal and, whether they appear at the hearing of the appeal or not, they shall be deemed to be a part to the appeal for the purpose of enabling directions to be given as to the costs or expenses of the appeal.

*[Section 14 repealed and replaced by 2013 : 48 s. 11 effective 24 December 2013]*

### **Fees**

14A (1) The appropriate fees shall be payable to the Bermuda Health Council.

(2) A person applying to register as a pharmacist shall at the time of filing of the application for registration, in respect of that application pay to the Bermuda Health Council the appropriate fee

## **PHARMACY AND POISONS ACT 1979**

---

(3) A person applying to be re-registered shall, within every two years after the date when the person is first registered, or such longer period as may be applicable pursuant to section 7AA, pay to the Bermuda Health Council the appropriate fee.

(4) In this section, “appropriate fee” means the fee set forth in the Seventh Schedule.

(5) The Seventh Schedule shall have effect as to fees that are payable by registered persons under this Act.

*[Section 14A inserted by 2020 : 47 s. 111 effective 11 December 2020]*

### **Amendment of Seventh Schedule**

14B (1) The Minister may by order amend the Seventh Schedule to vary any fee specified therein or to add or revoke fees.

(2) An order made by the Minister under subsection (1) shall be subject to the affirmative resolution procedure.

*[Section 14B inserted by 2020 : 47 s. 112 effective 11 December 2020]*

### **Regulations for this part**

15 (1) The Minister may make regulations—

- (a) regulating the making of applications for registration as a pharmacist under this Act and providing for the evidence to be produced in support of such applications;
- (b) prescribing professional standards that are to be met by registered pharmacists;
- (c) prescribing the procedure to be followed on an inquiry held pursuant to sections 10A and 10B.

(2) Regulations made under subsection (1) shall be subject to the negative resolution procedure.

*[Section 15 amended by 2013 : 48 s. 9 effective 24 December 2013]*

## **PART IV**

### **REGISTRATION OF PHARMACIES**

#### **Register of pharmacies**

16 (1) The Registrar shall establish and maintain a register of pharmacies for the purposes of this Act.

(2) The register of pharmacies shall be kept at the offices of the Registrar, and be available for inspection by the public at all reasonable times without charge.

*[Section 16 subsection (2) amended by 2013 : 48 s. 12 effective 24 December 2013]*



## PHARMACY AND POISONS ACT 1979

---

### **Registration of premises as registered pharmacies**

17 (1) Where an application for the registration of premises as a registered pharmacy is made by any person (hereafter in this Part called an “applicant”) to the Registrar on the prescribed form accompanied by the appropriate fee, the Registrar shall, subject to sections 18, 20 and 21(1), enter the prescribed particulars relating to those premises in the register of pharmacies.

(2) In subsection (1) “the appropriate fee” means the relevant fee prescribed in the Government Fees Regulations 1976.

(3) In this Act “to register premises as a registered pharmacy” means to enter the prescribed particulars relating to them in the register of pharmacies pursuant to subsection (1), and any premises in relation to which the prescribed particulars are so entered are in this Act referred to as a “registered pharmacy”.

(4) A list of registered pharmacies shall be published annually in the Gazette so soon as may be after the 1st day of January, and particulars of any alteration made in the register of pharmacies on or after that date in any year shall also be published in the Gazette.

(5) It shall be an offence for any premises to bear any sign or other representation that it is a pharmacy, drug-store, dispensary or other words representing any such premises as being registered as a pharmacy under this Act unless such premises are in fact so registered, or for any person to represent himself as being a pharmacist, apothecary, druggist, dispenser or any other description, whether of the foregoing classes or not, calculated to represent that he is registered as a pharmacist under this Act, unless he is so registered.

*[Section 17 subsection (2) amended by 2013 : 48 s. 13 effective 24 December 2013]*

### **Unfit premises: new applications**

18 (1) If it appears to the Minister that premises in respect of which an application under section 17 has been made fail in a material respect to comply with the requirements of regulations made under section 22(1)(a) which are for the time being in force, he may determine to issue to the applicant a certificate of unfitness under this section certifying that the premises are unsuitable for registration as a registered pharmacy.

(2) Before the Minister issues a certificate of unfitness under this section, he shall serve on the applicant a notice stating what he proposes and his reasons therefor.

(3) If within fourteen days after receipt of a notice under subsection (2) the applicant makes representations in writing to the Minister, or gives notice in writing to the Minister of his desire to be heard with respect to the Minister’s proposal to issue such a certificate, the Minister shall not issue the certificate before he has considered the applicant’s representations in writing or, where the applicant gave notice of his desire to be heard, his oral representations if made within a reasonable time.

(4) Where the Minister, after considering any such representations as aforesaid, determines not to issue a certificate of unfitness under this section in respect of the

## PHARMACY AND POISONS ACT 1979

---

premises in question, he shall notify the applicant and the Registrar of his decision, and the Registrar shall forthwith register the premises as a registered pharmacy.

(5) Where the Minister, after considering any such representations as aforesaid, determines that a certificate of unfitness ought to be issued in respect of the premises in question, he shall issue the certificate by serving it on the applicant, and he shall also serve a copy of the certificate on the Registrar.

(6) A certificate of unfitness issued under this section shall state the reasons for its issue.

(7) Except in accordance with the directions of the Supreme Court given under section 20(2), the Registrar shall not register as a registered pharmacy premises in respect of which a certificate of unfitness has been issued under this section.

### **Unfit premises: registered pharmacies**

19 (1) Where the Minister is of opinion that a registered pharmacy fails in a material respect to comply with the requirements of regulations made under section 22(1)(a) which are for the time being in force, the Minister shall serve on the operator of the pharmacy a notice stating his intention to issue a certificate of unfitness under this section in respect of the pharmacy, and the Minister's reasons therefor; and section 18(3) to (6) shall have effect mutatis mutandis in relation to notices and certificates under this section as they have effect in relation to notices and certificates of unfitness under that section.

(2) Where a certificate of unfitness is issued under this section, the registered pharmacy to which the certificate relates shall cease to be a registered pharmacy with effect from the date of the taking effect of the certificate under section 21.

### **Appeals**

20 (1) Any person aggrieved by the issue of a certificate of unfitness under section 18 or 19 may, at any time within twenty-eight days after the service of the certificate upon him, appeal under this section to the Supreme Court, and upon any such appeal that Court shall have power to confirm or revoke the issue of the certificate.

(2) Where the Supreme Court revokes a certificate of unfitness issued under section 18, the Court shall give such directions as the case requires with regard to the registration of the premises as a registered pharmacy under section 17.

(3) The powers of the Chief Justice to make rules under section 62 of the Supreme Court Act 1905 [*title 8 item 1*] shall extend to the making of rules regulating the practice and procedure to be followed on, and the fees to be paid in connexion with, any such appeal.

(4) The Registrar may appear as the respondent on any such appeal and, whether he appears at the hearing of the appeal or not, he shall be deemed to be a party to the appeal for the purpose of enabling directions to be given as to the costs or expenses of the appeal.

## **PHARMACY AND POISONS ACT 1979**

---

### **When certificates of unfitness take effect**

21 (1) Without prejudice to section 18(7), where an appeal is not brought against the issue of a certificate of unfitness under that section, or where such an appeal is brought but is withdrawn or struck out for want of prosecution, the certificate shall take effect on the expiration of the time for appealing or, as the case may be, on the withdrawal or striking out of the appeal; but otherwise such a certificate shall take effect if and when the appeal is dismissed and not otherwise.

(2) Where an appeal is not brought against the issue of a certificate of unfitness under section 19, or where such an appeal is brought but is withdrawn or struck out for want of prosecution, the certificate shall take effect on the expiration of thirty days after the expiration of the time for appealing or, as the case may be, upon the expiration of thirty days after the withdrawal or striking out of the appeal; but otherwise such a certificate shall take effect upon the expiration of thirty days after the dismissal of the appeal and not otherwise.

### **Regulations for this Part**

22 (1) The Minister may make regulations under this section with respect to registered pharmacies—

- (a) prescribing standards for their maintenance and operation, including provision for space, equipment and facilities;
- (b) imposing requirements as to the circumstances in which a registered pharmacist must, or (as the case may require) need not, be present in a registered pharmacy;
- (c) prescribing the books and records to be kept, and providing for the examination by or on behalf of the Minister of such books and records;
- (d) prescribing the returns to be made, and information to be forwarded, to the Minister.

(2) Regulations made under this section shall be subject to the negative resolution procedure.

## **PART V**

### **CONTROL OF PRESCRIPTIONS AND IMPORTATION**

#### **Prescriptions to be in a certain form**

23 (1) Subject to the provisions of this section, a prescription of any substance shall not be made by a practitioner unless it is on a valid prescription form which includes the information as provided in regulation 5 or 6 of the Pharmacy and Poisons (Control of Prescriptions) Regulations 2022.

(2) Nothing in subsection (1) shall make it unlawful for a registered pharmacist to execute a prescription that is transmitted to him by telephone by a practitioner where

## **PHARMACY AND POISONS ACT 1979**

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the practitioner's voice is known to him and he honestly believes the voice of the person transmitting the prescription to be that of the practitioner.

(3) Subsection (1) shall not apply to a practitioner who transmits a prescription to a registered pharmacist by telephone if the prescription is for a ten-day supply of the medicine prescribed; so, however, that in no case such a prescription be refilled by the registered pharmacist.

(4) The original of every prescription dispensed by him shall bear a number and shall be preserved by the registered pharmacist on a file kept for that purpose in the pharmacy and he shall, where requested to do so by another registered pharmacist, furnish a copy thereof to that other registered pharmacist unless the prescribing practitioner has forbidden the furnishing of such a copy.

(5) A copy of a prescription furnished to another registered pharmacist shall contain the following information:

- (a) the name and address of the prescribing practitioner and of the person for whom the substance has been prescribed;
- (b) the name of the substance prescribed, its strength and quantity, and directions for its use;
- (c) the dates of the first and last dispensing of the substance prescribed and the number of refills (if any) remaining; and
- (d) the number of the prescription and the name and address of the pharmacy.

(6) Where a request is made for a prescription to be refilled at a pharmacy other than that at which the substance prescribed was first dispensed, the registered pharmacist to whom the request is made shall communicate with the pharmacy at which the substance was first dispensed for the purpose of obtaining a copy of the prescription and the pharmacy at which the substance prescribed was first dispensed shall make a record of the date, the name and address of the pharmacy where the prescription is refilled. In the event that a third pharmacy is in possession of the original prescription, that pharmacy must be informed as well of the fact of the refilling of the prescription and of the date, name and address of the pharmacy where the prescription is refilled. A registered pharmacist who refills a prescription shall make a record of the date and quantity of the substance dispensed and he shall initial the record.

(7) A registered pharmacist may, at the request of a person under medical treatment and where the circumstances constitute an emergency, supply a Schedule 3 drug in relation that person without a prescription being presented to him:

Provided that in no circumstances whatever shall he supply a drug which is also specified in Schedule 2 of the Misuse of Drugs Regulations 1973.

(8) Before a registered pharmacist may supply a Schedule 3 drug under subsection (7) he must satisfy himself by means of questions put to the person requesting the drug—

## PHARMACY AND POISONS ACT 1979

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- (a) that there is a genuine and urgent need by the person for the Schedule 3 drug;
  - (b) that it is not practicable in the circumstances of the particular case for a prescription to be obtained from a practitioner immediately;
  - (c) that treatment with the particular Schedule 3 drug has been previously prescribed by a practitioner for the person requesting it; and
  - (d) that the dose which he will supply is appropriate to the need of the person.
- (9) The supply of a Schedule 3 drug in the circumstances specified in subsection (8) shall not in any case exceed five days' supply except—
- (a) where the drug is in the form of an ointment or cream, or is a preparation in an aerosol container for the relief of asthma, and in these cases the supply shall consist of the smallest package or container available;
  - (b) an oral contraceptive in which case the full cycle may be dispensed; or
  - (c) an antibiotic in liquid form for oral administration, in which case the smallest quantity that will provide a full course of treatment may be supplied.
- (10) The container or package of a Schedule 3 drug supplied pursuant to subsection (7) shall bear a label showing—
- (a) an identification number;
  - (b) the date of supply;
  - (c) the name of the person to whom supplied
  - (d) the name and address of the supplying pharmacy;
  - (e) the name, quantity, directions for use, and where appropriate, the pharmaceutical form and strength of the drug;
  - (f) the words EMERGENCY SUPPLY marked thereon; and
  - (g) the initials of the registered pharmacist.

(11) The registered pharmacist shall also keep a book entitled "Emergency Supply Book" in which shall be entered the particulars at subsection (10)(a) to (f) (inclusive).

*[Section 23 subsection (1) repealed and replaced and subsections (3)-(7) (10) and (11) amended by 2013 : 48 s. 14 effective 24 December 2013]*

### **Validity of a prescription**

23A A prescription shall be valid for one year from the date as shown on a valid prescription form.

*[Section 23A inserted by 2013 : 48 s. 15 effective 24 December 2013]*

## PHARMACY AND POISONS ACT 1979

---

### **Supply by registered pharmacist of equivalent medicines**

24 (1) Where a registered pharmacist receives for execution a prescription which does not prohibit an alternative equivalent drug or drug product from being supplied under the prescription—

- (a) it shall be required for the registered pharmacist to supply under the prescription any drug or drug product available to the pharmacist at the location of sale—
  - (i) which is in his opinion the chemical and therapeutic equivalent of the drug or drug product specified in the prescription; and
  - (ii) if taking all relevant factors into account, the price that he charges and accepts for the drug or drug product he supplies is less than that which he would have charged and accepted for the drug or drug product specified;
- (b) it shall be lawful for the registered pharmacist to supply under the prescription any drug or drug product—
  - (i) which is in his opinion the chemical and therapeutic equivalent of the drug or drug product specified in the prescription; and
  - (ii) if taking all relevant factors into account, the prices that he charges and accepts for the drug or drug product he supplies is the same as that which would have charged and accepted for the drug or drug product specified.

(2) A drug or drug product supplied by a registered pharmacist under subsection (1) must be a drug or drug product accepted by the Council as the chemical and therapeutic equivalent of the drug or drug product specified in the prescription in question.

*[Section 24 repealed and replaced by 2013 : 48 s. 16 effective 1 February 2014]*

### **Restrictions on the importation of medicines**

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

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

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

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

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

## PHARMACY AND POISONS ACT 1979

---

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

(6) In this section—

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

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

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

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

*[Section 25 repealed and replaced by 2011 : 31 s. 3 effective 10 August 2011; Section 25 subsection (1) amended by 2020 : 4 s. 2 effective 31 January 2020]*

### **Declaration relating to imported medicines**

26 *[Repealed by 2011 : 31 s. 4]*

*[Section 26 repealed by 2011 : 31 s. 4 effective 10 August 2011]*

## PART VI

### CONTROL OF DRUGS

#### **Certain substances to be sold on prescription only**

27 (1) Subject to any provision made by any regulation, no person shall for medicinal use sell any Schedule 3 drug otherwise than under a prescription.

(2) In this section and section 28 “sell” or “sale” means sell or sale by retail.

#### **Certain substances to be available at pharmacies only**

28 (1) Subject to subsection (3) and to any provision made by any regulation, no person shall for medicinal use keep for sale, or sell, any substance specified in Part I or Part II of the Fourth Schedule (in this Act referred to as a “Schedule 4 drug”) elsewhere than at a registered pharmacy.

(2) Subject to subsection (3) and to any provision made by any regulation, no person shall for medicinal use keep for sale, or sell, any substance specified in Part II of the Fourth Schedule unless he is a registered pharmacist.

(3) Subsection (1) or (2) shall not apply to a practitioner as respects anything done by him in the course of his practice as such.

*[Section 28 substituted by 1989:56 effective 15 January 1990]*

## PHARMACY AND POISONS ACT 1979

---

### **Restrictions on dispensing**

29 Subject to any provision made by any regulation no person other than a registered pharmacist or a practitioner acting in the course of his practice as such shall manufacture or compound or dispense any Schedule 3 or Schedule 4 drug.

### **Prohibition on giving away Schedule 3 or Schedule 4 drugs**

30 (1) Subject to subsection (2), no person shall make a gift of any Schedule 3 or Schedule 4 drug to any person who is not a practitioner or a registered pharmacist.

(2) Subsection (1) shall not apply—

- (a) to a practitioner who makes a gift of a Schedule 3 or Schedule 4 drug; or
- (b) to a registered pharmacist who makes a gift of a Schedule 4 drug,

to another person for use by that person for the medical or dental treatment of a human being or animal.

### **Unfit drugs**

31 *[Repealed by 2013 : 48 s. 17]*

*[Section 31 repealed by 2013 : 48 s. 17 effective 24 December 2013]*

### **Health and safety requirements**

31A (1) For the purposes of sections 31B, 31C, 31D and 31E, a drug or drug product fails to comply with a general health and safety requirement if it is not reasonably safe having regard to all the circumstances including—

- (a) the manufacturer of a drug or drug product, or any regulatory authority that granted a drug or drug product marketing authorisation, issuing a recall or any form of notice of warning for the drug or drug product;
- (b) marketing authorisation of a drug or drug product granted by the regulatory authority in the United States, Canada, the United Kingdom or the European Union, or another jurisdiction that the United States, Canada, the United Kingdom or the European Union has a mutual recognition agreement with, is denied, suspended or discontinued due to reasons of quality, safety or efficacy;
- (c) the storage, distribution, supply, security, or handling of the product compromised its safety, quality or efficacy due to standards set by the manufacturer or regulatory authority that granted marketing authorization for the drug or drug product;
- (d) the drug or drug product is not properly labelled to allow for—
  - (i) its safe consumption;
  - (ii) the determination of—
    - (A) the amount of active ingredients;



## PHARMACY AND POISONS ACT 1979

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- (B) its proper use;
  - (C) the content;
  - (e) any other risk to public or individual health as specified by the Minister after consultation with the Chief Medical Officer.
- (2) A person is guilty of an offence under this section if he—
- (a) supplies any drug or drug product which fails to comply with the health and safety requirement or any prescribed standard;
  - (b) offers or agrees to supply any such drug or drug product; or
  - (c) exposes or possesses such drug or drug product for supply,

and is liable on summary conviction to a fine of \$10,000 or imprisonment for 6 months, or both.

*[Section 31A inserted by 2013 : 48 s. 18 effective 24 December 2013; Section 31A subsection (1)(b) amended by 2020 : 4 s. 2 effective 31 January 2020]*

### **Orders and notices to prohibit supply of a drug or drug product**

- 31B (1) The Minister may—
- (a) make orders (“prohibition orders”) prohibiting persons from supplying, or offering to supply, exposing for supply or possessing for supply any drug or drug product which the Chief Medical Officer considers is not safe and which are described in the orders;
  - (b) serve on any person a notice (“prohibition notice”) prohibiting the person from supplying, or offering to supply, agreeing to supply, exposing for supply or possessing for supply any drug or drug product which the Chief Medical Officer considers is not safe and described in the notice;
  - (c) serve on any person a notice (“notice to warn”) requiring the person to publish, in a form and manner and on occasions specified in the notice and at his own expense a warning about any drug or drug product so specified which the Chief Medical Officer considers is not safe and which the person supplies or has supplied.

(2) A person who contravenes a prohibition order, a prohibition notice or a notice to warn is liable on summary conviction to a fine of \$10,000 or to imprisonment for 6 months, or both.

*[Section 31B inserted by 2013 : 48 s. 18 effective 24 December 2013]*

### **Suspension notices**

31C (1) Where the Minister has reasonable grounds for suspecting that any health and safety requirement provided in section 31A has been contravened in relation to any drug or drug product, he may serve a notice (“a suspension notice”) prohibiting the person on whom it is served, for such period ending not more than six months after the date of the notice as specified therein, from supplying the drug or drug product, offering

## PHARMACY AND POISONS ACT 1979

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to supply them, agreeing to supply them or exposing them for supply without the consent of the Minister.

(2) A suspension notice shall—

- (a) describe the drug or drug product in a manner to sufficiently identify it;
- (b) set out the grounds on which the Minister suspects that a safety provision has been contravened in relation to the drug or drug product; and
- (c) state that the person on whom the notice is served may apply under section 31D for an order setting aside the notice.

(3) The consent of the Minister under subsection (1) may impose such conditions on the doing of anything for which the consent is required as the Minister considers appropriate.

(4) Any person who contravenes a suspension notice is guilty of an offence and is liable on summary conviction to a fine of \$10,000 or to imprisonment for 6 months, or both.

*[Section 31C inserted by 2013 : 48 s. 18 effective 24 December 2013]*

### **Application to set aside a suspension notice**

31D (1) Any person having an interest in any drug or drug product in respect of which a suspension notice is in force may apply to a magistrate for an order setting aside the notice.

(2) On an application under subsection (1), the magistrate shall not make an order setting aside the suspension notice unless he is satisfied that there has been no contravention of any safety provision in relation to any drug or drug product.

*[Section 31D inserted by 2013 : 48 s. 18 effective 24 December 2013]*

### **Power to obtain information**

31E (1) If the Minister considers that, for the purpose of deciding whether to make, vary or revoke a prohibition order or to serve, vary or revoke a prohibition notice or to serve or revoke a notice to warn, he requires information which another person is likely to be able to furnish, the Minister may serve on the other person a notice requiring the person—

- (a) to furnish to the Minister within a period specified in the notice, such information as is so specified;
- (b) to produce such documents as are specified in the notice at a time and place so specified and to permit a person appointed by the Minister for the purpose of taking copies of the documents at that time and place.

(2) A person is guilty of an offence if he—

- (a) fails, without reasonable cause, to comply with a notice served on him under subsection (1); or

## PHARMACY AND POISONS ACT 1979

---

- (b) in purporting to comply with a requirement which by virtue of subsection (1)(a) is contained in a notice served on him under that subsection, furnishes information which he knows is false in a material particular or recklessly furnishes information which is false in a material particular.
- (3) A person guilty of an offence under—
- (a) subsection 2(a) of that subsection, is liable on summary conviction to a fine of \$10,000 or to imprisonment for 6 months; and
  - (b) subsection 2(b) of that subsection, is liable on summary conviction to a fine of \$15,000 or to imprisonment for 12 months.
- (4) No information obtained by virtue of this section shall be disclosed except—
- (a) for the purpose of any criminal proceedings or any investigation with a view to such proceedings;
  - (b) for the purpose of enabling the Minister to decide whether to make, vary or revoke safety regulations or a prohibition order or whether to serve, vary or revoke a prohibition notice or to serve or revoke a notice to warn; or
  - (c) in a prohibition notice, a notice to warn or a warning published as required by a notice to warn or in a warning about goods which is published by the Minister;

but the prohibition on disclosure imposed by this subsection does not apply to publicised information.

(5) A person who discloses information in contravention of subsection (4) is liable on summary conviction to a fine of \$10,000 or to imprisonment for 6 months, or both.

*[Section 31E inserted by 2013 : 48 s. 18 effective 24 December 2013]*

## PART VII CONTROL OF POISONS

### **Prohibition of sale of poison without licence**

32 Subject to the provisions of this Part, it shall be unlawful for a person to offer for sale, or sell, any poison unless he holds a licence for the purpose under section 34.

### **Poisons**

33 Any substance specified in the Fifth Schedule shall be a poison for the purposes of this Act.

### **Licences to sell poisons**

34 (1) Any person who makes application to the Minister in the prescribed form and pays the appropriate fee provided for under the Government Fees Act 1965 *[title 15 item*

## PHARMACY AND POISONS ACT 1979

---

18] may be granted a licence by the Minister under this section, and a person holding such a licence is in this Act referred to as a “licensed seller of poisons”.

(2) The Minister may refuse to grant a licence under this section to any person who for any reason relating to that person or his premises and appearing to the Minister to be sufficient is not fit to hold such a licence.

(3) A licence under this section shall not entitle the holder to sell any poison for a use that is a medicinal use, and it shall accordingly be an offence against this Act for a licensed seller of poisons to sell a poison if he knows or has reason to believe that the poison will be applied to a use that is a medicinal use.

(4) The licence of a licensed seller of poisons shall lapse if he does not on or before the 31st day of December pay to the Minister the appropriate annual fee provided for under the Government Fees Act 1965 [*title 15 item 18*].

(5) A list of the licensed sellers of poisons shall be published annually in the Gazette so soon as may be after the 1st day of January, and particulars of any alterations made in the number of licensed sellers of poisons on or after that date in any year shall also be published in the Gazette.

### **Revocation of licences**

35 Subject to section 36, the Minister may revoke a licence granted under section 34 for any reason such as is mentioned in section 34(2), and shall give notice in writing to the holder of the licence of his decision to revoke the licence and the reasons for the decision.

### **Appeals**

36 (1) Any person aggrieved by the revocation of a licence under section 35 may within twenty-eight days after receiving notice of the decision appeal to the Supreme Court, and upon any such appeal that Court shall have power to confirm or revoke the Minister’s decision.

(2) The powers of the Chief Justice to make rules under section 62 of the Supreme Court Act 1905 [*title 8 item 1*] shall extend to the making of rules regulating the practice and procedure to be followed on, and the fees to be paid in connexion with, any such appeal.

(3) The Minister may appear as respondent on any such appeal and, whether he appears at the hearing of the appeal or not, he shall be deemed to be a party to the appeal for the purpose of enabling directions to be given as to the costs or expenses of the appeal.

(4) Where an appeal is not brought against the decision of the Minister to revoke a licence under section 35, or where an appeal is brought but is withdrawn or struck out for want of prosecution, the decision shall take effect on the expiration of the time for appealing or, as the case may be, on the withdrawal or the striking out of the appeal; but otherwise such a decision shall take effect if and when the appeal is dismissed and not otherwise.

## **PHARMACY AND POISONS ACT 1979**

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### **Poisons Book**

37 (1) Every person who sells poison shall maintain a book (in this Act called the "Poisons Book") in such form as the Minister may approve for the purpose of keeping the records called for by subsection (2).

(2) Every such person shall enter and keep in the Poisons Book, in relation to every sale by him of a poison, a record of—

- (a) the date of the sale;
- (b) the kind and quantity of the poison sold;
- (c) the name and address of the purchaser; and
- (d) the purpose stated by the purchaser for the purchase,

and he shall obtain the signature of the purchaser to, and himself sign, the entry in the Book.

### **Sale of poisons to unknown persons prohibited**

38 A person shall not sell poison to any person that is not known to him, except in the presence of a third person who—

- (a) is known to the seller; and
- (b) declares to the seller that the purchaser is known to him; and
- (c) in confirmation of his declaration signs the entry in the Poisons Book.

### **Sale of poisons to persons under 18 prohibited**

39 (1) Subject to subsection (2), it shall be an offence against this Act for any person to sell poison to a person under 18 years of age.

(2) It shall be a defence for a person charged with an offence against subsection (1) that he believed on reasonable grounds (the proof whereof shall be on him) that the purchaser was 18 years or over.

### **Labelling of poisons**

40 Subject to any provision made by any regulation, no person shall sell any poison to any other person unless the word "poison" and the name and business address of the seller and the date of the sale are displayed in clear and legible writing on the surface of the receptacle in which the poison is contained.

### **Sale of poisons to intoxicated persons etc. prohibited**

41 It shall be an offence against this Act for any person to sell poison to another person whom he knows, or has cause to believe, to be intoxicated by drink or drugs or to be of unsound mind.

## **PHARMACY AND POISONS ACT 1979**

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### **Method of keeping poisons**

42 In the keeping of poisons it shall be the duty of every licensed seller of poisons to ensure—

- (a) that every bottle, vessel, box or package containing poison has attached to it a label bearing the name of the article and also some distinctive mark to show that poison is contained therein;
- (b) that poison is kept in accordance with one or other of the following systems, that is to say,—
  - (i) in a bottle or vessel tied over, capped, locked or otherwise secured in a manner different from that in which vessels containing articles that are not, or do not contain, poison are secured in the same premises;
  - (ii) in a bottle or vessel rendered distinguishable by touch from bottles or vessels in which articles that are not, or do not contain, poison are kept in the same premises;
  - (iii) in a bottle, vessel, box or package kept in a room or cupboard set apart for dangerous articles.

### **Statement of proportion of poison in preparations**

43 (1) Subject to subsections (2) and (3), it shall be the duty of every person selling a preparation containing poison to ensure that there is set out on a label attached to the preparation the proportion, whether expressed as a percentage or otherwise, which such poison bears to the total content of the preparation.

(2) In the case of a preparation listed in the official British Pharmacopoeia or the British Pharmaceutical Codex or any supplement thereto, it shall be a sufficient compliance with subsection (1) if that preparation—

- (a) when sold either with or without dilution or admixture, is described by its name or synonym or abbreviated name used in the Pharmacopoeia, Codex or supplement with the addition of the letters B.P. or B.P.C., as the case may be; and
- (b) when sold with dilution or admixture, is described by the proportion which the preparation bears to the mixture of which it forms a part.

### **Liquid preparations containing poison**

44 It shall be the duty of every person selling any liquid preparation containing poison to ensure—

- (a) that the preparation is not sold otherwise than in bottles, tins, drums or casks sufficient to withstand without leakage the ordinary risks of transit;
- (b) that every such bottle, tin, drum or cask has the legend “Poison - not to be taken internally” indelibly printed, marked or branded in easily legible

## **PHARMACY AND POISONS ACT 1979**

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letters in a conspicuous position apart from the label, and that there is thereon a label bearing the same legend; and

- (c) when such a liquid is sold in bottles, that such bottles are of a distinctive character so as to be easily distinguishable by touch from other bottles.

### **PART VIII MISCELLANEOUS**

#### **Wholesale transactions**

45 (1) Subject to any provision made by any regulation, no person shall by wholesale sell or otherwise dispose of any schedule 3 or Schedule 4 drug or poison to any person that is not entitled to sell that drug or poison by retail.

(2) A sale or disposal of a drug or poison is a sale or disposal by wholesale for the purposes of this Act if it is a sale or disposal to a person who buys or receives the drug or poison for the purpose of selling or disposing of the drug or poison to some other person; and in this Act “sale by retail” or “sell by retail” means sale or sell otherwise than by wholesale.

#### **Dispensing records**

46 Where any person supplies a Schedule 3 or Schedule 4 drug or poison (hereafter in this section referred to as a “substance”) under a prescription—

- (a) he shall mark in clear and legible writing on a paper accompanying the substance—
  - (i) his initials;
  - (ii) his name, address and telephone number (if any) or, where the substance is supplied from a registered pharmacy, the name, address and telephone number (if any) of the registered pharmacy;
  - (iii) the name of the customer to whom the substance is supplied;
  - (iv) the directions for using the substance;
  - (v) the number assigned to the prescription;
  - (vi) the quantity of the substance supplied;
  - (vii) the brand or trade name, the generic name, the name of the manufacturer and the strength of the substance supplied;
  - (viii) whether the prescription is to be refilled, and if so, the number of times;
  - (ix) the date when the prescription is filled; and
  - (x) the name of the practitioner who issued the prescription;

## PHARMACY AND POISONS ACT 1979

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- (b) he shall, or, where the substance is supplied from a registered pharmacy, the operator of the pharmacy shall, for the period of two years (or, where the prescription was repeated, two years after the last time it was repeated) retain the original of the prescription.

*[Section 46(a)(x) inserted by 2013 : 48 s. 19 effective 24 December 2013]*

### **Prescription drug pricing**

46A (1) Where any person supplies a prescription drug to another person, he shall inform the person purchasing the drug of—

- (a) the cost of the drug—
- (i) covered by insurance, in the case where the person purchasing the drug is insured; and
  - (ii) payable by the person purchasing the drug; and
- (b) the amount of the dispensing fee charged by the person supplying the drug.

(2) A person who contravenes subsection (1) commits an offence against this Act.

*[Section 46A inserted by 2021 : 15 s. 4(a) effective 10 September 2021]*

### **Dishonest sales**

47 It shall be an offence against this Act for any person keeping for sale, or offering for sale, or selling, any Schedule 3 or Schedule 4 drug or poison falsely to represent to any person—

- (a) that it is a substance that it is not; or
- (b) that it contains a substance that it does not contain; or
- (c) that it is unadulterated when it has been adulterated.

### **Regulations for Parts VI and VII**

48 (1) The Minister may make regulations under this section—

- (a) prescribing the amount or proportion of any substance that is to be contained in a Schedule 3 or Schedule 4 drug or a poison;
- (b) prescribing the types of, and labelling for, containers to be used for containing a Schedule 3 or Schedule 4 drug or a poison;
- (c) regulating the manner in which, and the conditions subject to which, Schedule 3 or Schedule 4 drugs or poisons are to be prescribed by practitioners, including the conditions under which Schedule 3 or Schedule 4 drugs or poisons may be supplied on a second or subsequent occasion without a further prescription having to be prepared;
- (d) regulating the manner in which records are to be kept of the purchase and sale of Schedule 3 or Schedule 4 drugs or poisons;



## PHARMACY AND POISONS ACT 1979

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- (e) designating poisons that may be sold by persons not otherwise authorized by this Act for the purpose, and authorizing and regulating the sale of such poisons by such persons or by classes of such persons;
- (f) designating Schedule 3 or Schedule 4 drugs and poisons that may be sold by persons not otherwise authorized by this Act for the purpose, and authorizing and regulating the sale without prescription by such persons or by classes of such persons of such drugs and poisons to owners of birds or animals for the treatment of the birds or animals;
- (g) *[deleted]*
- (h) generally for carrying out the purposes of sections 31A, 31B, 31C, 31D, 31E, 51, 51A and 51B.

(2) Regulations made under this section shall be subject to the negative resolution procedure.

*[Section 48 subsection (1) amended by 2013 : 48 s. 20 effective 24 December 2013; subsection (1)(g) deleted by 2014 : 36 s. 2 effective 22 December 2014]*

### **Minister may by order amend the Third or Fourth Schedule**

48A (1) The Minister may, on the recommendation of the Chief Medical Officer or the Council, by order amend the Third or Fourth Schedule.

(2) The negative resolution procedure shall apply to an order made under subsection (1).

*[Section 48A inserted by 2014 : 36 s. 2 effective 22 December 2014]*

### **Minister may provisionally add or remove drugs in the Third or Fourth Schedule**

48B The Minister may, on the recommendation of the Chief Medical Officer or the Council, by Notice in the Gazette, provisionally list, or remove, the drugs in the Third or Fourth Schedule and such drugs shall be considered listed in, or removed from, the Third or Fourth Schedule for a period not exceeding 30 days or until the Minister issues an order either adding to, or deleting from, the Third or Fourth Schedule such drugs, whichever occurs earlier.

*[Section 48B inserted by 2014 : 36 s. 2 effective 22 December 2014]*

### **Minister may obtain reports on drugs and poisons**

49 (1) The Minister may by notice in writing served upon any practitioner or any registered pharmacist require him to report to the Minister in writing the quantity of any Schedule 3 or Schedule 4 drug or any poison that he has purchased or sold or, in the case of a practitioner, prescribed, as the case may be, during the period stated in the notice.

(2) Where—

- (a) the Minister has reason to believe (whether or not because of a report made to him pursuant to a notice served under subsection (1)) that a

## PHARMACY AND POISONS ACT 1979

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practitioner or a registered pharmacist has purchased or sold, or a practitioner has prescribed, excessive or otherwise unreasonable amounts of a Schedule 3 or Schedule 4 drug or a poison during a particular period; or

- (b) a practitioner or registered pharmacist fails to make a report that he has been properly required under subsection (1) to make; or
- (c) a report such as aforesaid appears to the Minister to be incomplete,

then, but without prejudice to any other power that is available to the Minister or any other person, the Minister may report the matter to the Council in the case of a registered pharmacist, or to the relevant professional body in the case of a practitioner, for such action as the Council or that body may think fit to take.

(3) In subsection (2) “relevant professional body”, in relation to a practitioner, means the body appearing to the Minister to be the body having professional disciplinary control over the practitioner.

*[Section 49 subsection (2) amended by 2013 : 48 s. 21 e]fective 24 December 2013]*

### **Minister may obtain information on prices**

50 (1) The Minister may by notice in writing under this section served upon any practitioner or the operator of any registered pharmacy require him to supply to the Minister in writing such information as may be specified pursuant to subsection (2).

(2) A notice under this section may demand information relating to—

- (a) the price at which any substance was purchased by any person; and
- (b) the price at which any substance was sold by any person to any member of the public,

in the conduct, or for the purposes, of the practice of the practitioner or the business of the registered pharmacy as the case may be during the period specified in the notice, and may demand any other information relating to, or connected with, the prices of substances so purchased or sold which the Minister may consider is required for establishing whether the prices charged to the public for such substances during the period were fair and reasonable.

### **Inspections**

51 (1) It shall be the duty of the Minister, by means of inspection and otherwise, to take all reasonable steps to enforce, and secure compliance by registered pharmacists and others with the provisions of this Act or any regulation, and the Minister shall for that purpose appoint such number of inspectors as in his opinion is required.

(2) Any inspector may, for the purposes of enforcement of this Act or any regulations, make test purchases or otherwise ascertain whether any provisions of this Act or any regulations or of an order under this Act are being complied with.

## PHARMACY AND POISONS ACT 1979

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(3) An inspector appointed under this section who has reasonable cause to believe that an offence under this Act or regulations has been committed shall, for the purpose of enforcing and securing compliance with the said provisions have power—

- (a) at all reasonable times and on production, if required, of his credentials, enter any registered pharmacy or place of business (other than premises or parts of premises used as a dwelling house) and while there he may—
  - (i) inspect any drug or drug product found;
  - (ii) examine any procedure;
  - (iii) seize and detain drugs or drug products for testing;
  - (iv) seize and detain goods or documents which he believes may be required as evidence in proceedings under this Act;
  - (v) for the purpose of exercising his powers to seize drugs or drug products under this section and to the extent that it is reasonably necessary in order to ensure compliance with any provision of this Act, require any person having authority to do so to break open any container, and if the person does not comply, the inspector may do so himself.

(4) An inspector who seizes drugs, drug products or documents in exercise of his powers under subsection (3) shall, in a written statement specifying the nature and amount of items seized, inform the person from whom they are seized.

(5) For the purpose of proceedings taken or transactions made under this Act, the written statement of an inspector given under subsection (4) has effect as a receipt for the drug, drug products or documents seized.

(6) A magistrate who is satisfied by sworn information in writing that there are reasonable grounds to believe that—

- (a) goods, books or documents which an inspector has power to inspect are on any premises and that their inspection is likely to disclose evidence of the commission of an offence under this Act or the regulations; or
- (b) an offence under this Act or the regulations has been, is being, or is about to be committed on any premises;

and that—

- (c) admission to the premises has been or is likely to be refused and that notice of intention to apply for a warrant under this subsection has been given to the occupier; or
- (d) an application for admission or the giving of the notice mentioned in paragraph (c) would defeat the object of the entry or that the premises are unoccupied or that the occupier is temporarily absent and it might defeat the object of the entry to await his return,

## PHARMACY AND POISONS ACT 1979

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may by warrant under his hand, which shall continue in force for a period of one month, authorise any inspector to enter the premises, if need be by force.

(7) An inspector who enters premises by virtue of this section may take with him such other persons and equipment as appears necessary to him, and on leaving premises which he enters by virtue of a warrant under subsection (6), where either the premises are unoccupied or the occupier is temporarily absent, he shall affix a notice in a conspicuous place stating that the premises were entered for the purpose of this section, and as far as practicable shall leave the premises as effectively secured against trespassers as he found them.

(8) A person who—

- (a) wilfully obstructs an inspector acting in the exercise of any power conferred on him under subsections (3) to (7);
- (b) wilfully fails to comply with any requirement properly made to him by an inspector under subsections (3) to (7);
- (c) without reasonable cause fails to give an inspector acting under subsections (3) to (7), such assistance or information as he may reasonably require of the person for the performance of the inspector's functions;
- (d) in giving information as mentioned in paragraph (c) makes a statement which he knows to be false;
- (e) not being an inspector purports to act as an inspector under this Act;
- (f) discloses to another person, where the disclosure is not made in the performance of his duty—
  - (i) information with respect to a manufacturing process or trade secret obtained by him in premises which he has entered by virtue of subsections (3) to (7); or
  - (ii) information otherwise obtained by him under this Act,

is guilty of an offence and is liable on summary conviction to a fine of \$10,000 or imprisonment for 6 months, or both.

(9) An inspector appointed under this section shall have power with the consent of the Minister to institute summary proceedings in respect of an offence against this Act or any regulation, and to conduct any such proceedings notwithstanding that he is not a barrister and attorney.

(10) If a person wilfully delays or obstructs an inspector in the exercise of any of his powers under this section, or refuses to allow any sample to be taken in accordance with the provisions of this section, or fails without reasonable excuse to give any information which he is duly required under this section to give, he is guilty of an offence against this Act.

*[Section 51 repealed and replaced by 2013 : 48 s. 22 effective 24 December 2013]*

## **PHARMACY AND POISONS ACT 1979**

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### **Notice of test**

51A (1) Where drugs or drug products seized or purchased by an inspector in pursuance of this Act are submitted to a test, the inspector shall—

- (a) if the drugs or drug products were seized, inform the person from whom they were seized of the result of the test;
- (b) if the drugs or drug products were purchased and the test leads to proceedings for an offence under this Act, inform the person from whom the goods were purchased of the result of the test;

and where as a result of the test proceedings for an offence are instituted against a person, the inspector shall allow the person to have the goods tested independently if it is reasonably practicable to do so.

(2) The Minister may by order provide for the testing of drugs or drug products seized or purchased by an inspector in pursuance of this Act and in particular may in those orders provide that the test be carried out at the Ministry's expense in a manner, by a person, and at a laboratory or testing facility specified in the order.

*[Section 51A inserted by 2013 : 48 s. 23 effective 24 December 2013]*

### **Compensation**

51B (1) Where in the exercise of his powers under section 51 an inspector seizes and detains any drugs or drug products, and the owner suffers loss by reason of the goods being seized or by reason that, during the detention, the goods are lost or damaged or deteriorate, unless the owner is convicted of an offence under this Act committed in relation to the goods, the owner is entitled to compensation for the loss so suffered.

(2) Any disputed question as to the right to or the amount of any compensation payable under this section shall on the written application of the owner or of the Attorney-General be determined as follows—

- (a) if the amount of the compensation claimed does not exceed \$10,000, by a magistrate; or
- (b) if the amount of the compensation claimed exceeds \$10,000, by a judge of the Supreme Court,

in like manner as if the magistrate or the judge were a single arbitrator appointed pursuant to the provisions of the Arbitration Act 1986, and the provisions of that Act shall apply accordingly.

*[Section 51B inserted by 2013 : 48 s. 23 effective 24 December 2013]*

### **Service of documents**

52 Any notice or other document required or authorized by any provision of this Act to be served on any person, or to be given or sent to any person, may be served, given or sent—

- (a) by delivering it to him; or

## PHARMACY AND POISONS ACT 1979

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- (b) by sending it by post to him at his usual or last-known residence or place of business in Bermuda; or
- (c) in the case of a body corporate, by delivering it to the secretary or clerk of the body corporate at its registered or principal office or sending it by post to the secretary or clerk of that body corporate at that office.

### **Transitional**

53 (1) Every person who immediately before 1 January 1980 was registered as a pharmacist under the Pharmacists Registration Act 1928 (now repealed) shall be deemed on and after that date to be a registered pharmacist within the meaning of this Act, but subject to the provisions of this Act.

(2) For such period (and no longer) beginning on 1 January 1980 as the Minister may appoint for the purpose by notice made under this subsection and published in the Gazette every set of premises which immediately before that date was being operated as a pharmacy, being premises to which this subsection applies, shall be deemed to be a registered pharmacy within the meaning of this Act.

(3) Subsection (2) applies to premises in respect of which the operator of those premises notifies the Minister in writing by 1 February 1980 of his wish to have the benefit of that subsection apply to those premises.

(4) Every person who immediately before 1 January 1980 was the holder of a licence granted to him under section 2 of the Poisons Act 1930 (now repealed) shall be deemed on and after that date to be a licensed seller of poisons within the meaning of this Act, but subject to the provisions of this Act.

### **Student pharmacists**

54 (1) Nothing in section 6 shall have effect in relation to a student pharmacist acting in accordance with a permit granted to him under this section.

(2) The Minister may grant a permit under this section to a student pharmacist to compound or dispense any substance specified in the Third, Fourth or Fifth Schedule, subject to the conditions specified in the permit.

(3) A permit under this section must contain a condition that the permit-holder when acting under the permit shall do so under the direct personal control and supervision of a registered pharmacist who is named in the permit and who has endorsed the permit in acknowledgement of his responsibility thereunder; and (but without prejudice to any liability of the permit-holder apart from this Act) any act done by the permit-holder under, or in reliance upon, the authority of the permit shall for the purposes of this Act be deemed to be the act of that registered pharmacist.

(4) The Minister may without notice at any time in writing revoke a permit granted under this section.

(5) In this section "student pharmacist" means a person who has satisfied the Minister that he is undergoing a course of training that will qualify him in due course to receive a certificate of competence from the Council.

## PHARMACY AND POISONS ACT 1979

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### Offences

55 (1) Any person who contravenes or fails to comply with any duty or prohibition imposed upon him by or under any provision to which this section applies commits an offence against this Act.

(2) The provisions to which this section applies are sections 23, 25, 27 to 30, 32, 37, 38, 40, 42 to 46, 46A, 49 and 50.

(3) Subject to subsection (3A), any person committing an offence against this Act may be proceeded against either summarily or on indictment—

(a) Punishment on summary conviction: imprisonment for 12 months or a fine of \$20,000, or both such imprisonment and fine ;

(b) Punishment on conviction on indictment: imprisonment for 3 years or a fine of \$50,000, or both such imprisonment and fine ;

(3A) A person who contravenes section 6 commits an offence and is liable on summary conviction to fine of \$10,000 or a term of imprisonment of six months or to both for a first offence, and to a fine of \$20,000 or a term of imprisonment of one year or to both for a second or subsequent offence.

(4) The power to make regulations under section 15, 22 or 48 includes the power to constitute offences for contravention of, or failure to comply with, any such regulation and to fix punishments, including imprisonment (but not exceeding the scale of punishments for which subsection (3) of this section provides), for any such offence.

(5) Where an offence committed against this Act or any regulation by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, commits an offence against this Act and is liable to be proceeded against and punished accordingly.

*[Section 55 amended by 2020 : 47 s. 113 effective 11 December 2020; Section 55 amended by 2021 : 15 s. 4(a) effective 10 September 2021]*

### Repeal

56 *[omitted]*

### Commencement

57 *[omitted]*

## **PHARMACY AND POISONS ACT 1979**

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### **FIRST SCHEDULE**

(Sections 5 and 7(1))

#### **THE PHARMACY COUNCIL**

1 A member of the Council shall hold office for the period of one year or for such longer or shorter period as the Minister may determine.

2 A member of the Council shall be eligible for re-appointment or re-election to membership of the Council.

3 A person appointed or elected to fill the place of a member of the Council who vacates office before the expiry of his term of office shall hold office for so long only as the member whose place he fills would have held the office.

4 Where a member of the Council vacates his office three months or less before the expiry of his term of office, the vacancy need not be filled.

5 A member of the Council may resign his office at any time by giving notice in writing to the Minister of his resignation.

6 The Minister may declare the office of a member of the Council vacant if—  
(a) the Minister is satisfied that the member is unable through mental or physical incapacity to perform the functions of his office; or  
(b) the member has failed without adequate cause to attend three successive meetings of the Council.

7 The Council may act notwithstanding any vacancy in their membership, and no act of the Council shall be invalid by reason only of a defect in the appointment of a member.

7A Every question or matter to be determined by the Council at any meeting shall be decided by a majority of the members present at the meeting but, in the event of an equality of votes, the Chairman shall have the casting vote.

8 Subject to the foregoing provisions of this Schedule the Council may regulate their own procedure.

9 (1) The Council may, in its discretion, appoint from among its own members or from among other persons, such number of committees as it thinks fit for purposes which, in the opinion of the Council, would be more expediently carried out or managed by such committees.



## **PHARMACY AND POISONS ACT 1979**

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(2) The Chairman of any committee appointed under subsection (1) shall be a member of the Council.

10 *[deleted]*

*[First Schedule amended by 2013 : 48 s. 24 effective 24 December 2013; First Schedule paragraph 10 deleted by 2014 : 36 s. 2 effective 22 December 2014; First Schedule paragraph 7A inserted by 2022 : 3 s. 3 effective 9 March 2022]*

**PHARMACY AND POISONS ACT 1979**

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**SECOND SCHEDULE**

(Section 2)

**LIST OF PRACTITIONERS**

Physician- for the purposes of medical treatment of human beings

Dentist- for the purposes of dental treatment of human beings

Veterinary Practitioner- for the purposes of animal treatment

Optometrist- subject to the restrictions and requirements under section 10 and Schedule 2 of the Optometrists and Opticians Act 2008

Advanced Practice Nurse or Midwife- subject to the restrictions and requirements under 8B(1) and (2) of the Nursing and Midwifery Act 1997

*[Second Schedule repealed and replaced by 2013 : 48 s. 25 effective 24 December 2013; Second Schedule amended by 2018 : 58 s. 17 effective 17 December 2018]*

**PHARMACY AND POISONS ACT 1979**

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**THIRD SCHEDULE**

(Sections 25(6); 27(1))

**DRUGS OBTAINABLE ONLY ON PRESCRIPTION EXCEPT WHERE  
SPECIFIED IN THE FOURTH SCHEDULE (PART I AND PART II)**

Note: The following annotations used in this Schedule have the following meanings:

**md** (**maximum dose**) i.e. the maximum quantity of the substance contained in the amount of a medicinal product which is recommended to be taken or administered at any one time.

**mdd** (**maximum daily dose**) i.e. the maximum quantity of the substance that is contained in the amount of a medicinal product which is recommended to be taken or administered in any period of 24 hours.

**mg** **milligram**

**ms** (**maximum strength**) i.e. either or, if so specified, both of the following:

- (a) the maximum quantity of the substance by weight or volume that is contained in the dosage unit of a medicinal product; or
- (b) the maximum percentage of the substance contained in a medicinal product calculated in terms of w/w, w/v, v/w, or v/v, as appropriate.

**external use** means for application to the skin, teeth, mucosa of the mouth, throat, nose, eye, ear, vagina or anal canal when a local action only is necessary and extensive systemic absorption is unlikely to occur. Note: the following are not regarded as for external use: throat sprays, throat pastilles, throat lozenges, throat tablets, nasal drops, nasal sprays, nasal inhalations or teething preparations.

**parenteral use** means administration by breach of the skin or mucous membrane.

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- 1
  - Abacavir
  - ABC Liniment
  - Acamprosate
  - Acarbose
  - Acebutolol
  - Acepylline
  - Acepromazine
  - Acetanilide
  - Acetarsol

## PHARMACY AND POISONS ACT 1979

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Acetazolamide  
Acetohexamide  
Acetorphine  
Acetrizic Acid  
Acetyl Sulphafurazole  
Acetyl Sulphamethoxypyridazine  
Acetylcarbromal  
Acetylcholine  
Acetylcysteine  
Acetyldigitoxin  
Acetyldihydrocodeine  
Acetylpromazine  
Acetylstrophanthidin  
Acitretin  
Aconiazide  
Aconite Belladonna and Chloroform  
Liniment BP 1968  
Aconite Root  
Aconitine  
Actinomycin C  
Actinomycin D  
Acyclovir  
Adalimumab  
Adapalene  
Adefovir  
Adicillin  
Adiphenine  
Admune Influenza Vaccine  
Adrenaline  
Adrenocortical Extract  
Adriamycin  
Aerosoxacin  
Aesculin  
Aflibercept  
Agomelatine  
Albamycin preparations  
Albamycin T preparations  
Albumin Human  
Albumin Microspheres Human (3M)

## PHARMACY AND POISONS ACT 1979

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Albuterol, Salbutamol  
Alclofenac  
Alcuronium Chloride  
Aldosterone  
Alendronate  
Alfacalcidol  
Alfentanil  
Alfuzosin  
Algestone  
Algestone Acetonide  
Algestone Acetophenide  
Aliskiren  
Alitretinoin  
Alkavervir  
Allobarbitone  
Allopurinol  
Allyloestrenol  
Allylprodine  
Almotriptan  
Alphacetylmethadol  
Alphadolone Acetate  
Alphameprodine  
Alphamethadol  
Alphaprodine  
Alphaxalone  
Alprazolam  
Alprenolol  
Alprostadiol  
Alseroxylon  
Amantadine  
Amibenonium Chloride  
Ambrisentan  
Ambuside  
Ambutonium Bromide  
Amincinonide  
Ametazole  
Amethocaine - for local ophthalmic use  
Amikacin  
Amiloride

## PHARMACY AND POISONS ACT 1979

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Aminocaproic Acid  
Aminodarone  
Aminoglutethimide  
Aminophylline  
Aminopterin  
Aminorex (and Methyl Derivative)  
Aminosalicylic Acid  
Amiodarone  
Amiphenazole  
Amitriptyline  
Amlodipine  
Ammonium Bromide  
Ammonium Chloride - in inhalers  
Amoxycillin, Amoxicillin  
Amoxycillin Trihydrate  
Amphetamine  
Amphotycin  
Amphotericin  
Ampicillin  
Ampicillin Trihydrate  
Amyl Nitrite Vitrellae BP  
Amylobarbitone  
Amylocaine - in preparations for local ophthalmic use  
Anaesthetics - all inhalational  
Anagrelide  
Anakinra  
Anastrozole  
Ancrod  
Androsterone  
Aneurine  
Angiotensin Amide  
Anileridine  
Antazoline  
Anterior Pituitary Extract  
Anti-lymphocyte Immunoglobulin  
Antimony  
Apiol  
Apixaban  
Apomorphine

## PHARMACY AND POISONS ACT 1979

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Apramycin  
Apremilast  
Aprepitant  
Aprobarbitone  
Aprotinin  
Arecoline  
Arecoline-acetarsol  
Aripiprazole  
Arprinocid  
Arsanilic Acid  
Arsenic  
Arsphenamine  
Asparaginase  
Astemizole  
Atamestane  
Atazanavir  
Atenolol  
Atomoxetine  
Atorvastatin  
Atovaquone  
Atracurium Besylate  
Atropine Eye Drops B.P. - in preparations for local ophthalmic use  
Atropine Eye Ointment B.P. - in preparations for local ophthalmic use  
Atropine - in inhalers  
Atropine Methobromide - in preparations for local ophthalmic use  
Atropine Methobromide - in inhalers  
Atropine Oxide - in preparations for local ophthalmic use  
Atropine Oxide - in inhalers  
Azacyclonol  
Azaperone  
Azapropazone  
Azaribine  
Azathioprine  
Azelaic Acid  
Azidocillin  
Azithromycin  
Bacampicillin  
Bacitracin Methylene Disalicylate  
Baclofen

## PHARMACY AND POISONS ACT 1979

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Balsalazide  
Bambermycin  
Bamipine  
Barbitone  
Barbituric Acid - and derivatives  
Barium Carbonate  
Barium Chloride  
Barium Sulphate  
Barium Sulphide  
Beclamide  
Beclomethasone  
Belladonna Herb  
Belladonna Root  
Bemegride  
Benactyzine  
Benapryzine  
Benazepril  
Bendazac  
Bendrofluazide, Bendroflumethazide  
Benethamine Penicillin  
Benoxaprofen  
Benperidol  
Benserazide  
Benzafibrate  
Benzathine Penicillin  
Benzbromarone  
Benzestrol  
Benzethidine  
Benzhexol  
Benzilonium Bromide  
Benzocaine - for local ophthalmic use  
Benzocetamine  
Benzoyl Peroxide - in concentrations greater than 10%  
Benzoylsuphanilamide, N-  
Benzphetamine  
Benzquinamide  
Benzthiazide  
Benztrone Injections  
Benztropine Mesylate



## **PHARMACY AND POISONS ACT 1979**

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Benzylmorphine  
Benzylpenicillin  
Betacetylmethadol  
Betahistine  
Betameprodine  
Betamethadol  
Betamethasone  
Betaprodine  
Betaxolol  
Bethanechol Chloride  
Bethanidine  
Bevacizumab  
Bexarotene  
Bezafibrate  
Bezitramide  
Bicalutamide  
Bimatoprost  
Biorphen Oral Solution  
Biperiden  
Bismuth Glycollylarsanilate  
Bisoprolol  
Bleomycin Sulphate  
Bolandiol  
Bolasterone  
Bolazine  
Boldenone Undecylenate  
Bolenol  
Bolgantalate  
Bosentan  
Botulinum Toxin  
Bretylium Tosylate  
Brexipiprazole  
Brimonidine  
Brinzolamide  
Bromazepam  
Bromhexine  
Bromocriptine  
Bromvaletone  
Brotizolam

## PHARMACY AND POISONS ACT 1979

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Budesonide  
Bufexamac  
Bufotenine  
Bumetanide  
Buphenine  
Bupivacaine - in preparations for local ophthalmic use  
Buprenorphine  
Bupropion  
Buspirone  
Busulphan  
Butacaine - in preparations for local ophthalmic use  
Butalbital  
Butanilcaine - in preparations for local ophthalmic use  
Butaperazine  
Butobarbitone  
Butorphanol  
Butriptyline  
Butylchloral Hydrate  
Cabergoline  
Cadexomer  
Calcipotriol  
Calcitonin  
Calcitriol  
Calcium 5-allyl-5-N-Butylbarbiturate  
Calcium Acetate  
Calcium Aminosalicylate  
Calcium Amphomycin  
Calcium Benzamidosalicylate  
Calcium Bromide  
Calcium Bromolactobionate  
Calcium Carbimide  
Calcium Folate  
Calcium Leucovorin preparations  
Calcium Sulphaloxate  
Calusterone  
Camphorated Opium tincture BP  
Camazepam  
Canagliflozin

## PHARMACY AND POISONS ACT 1979

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Candesartan  
Candicidin  
Cannabidiol  
Cannabinol - and derivatives  
Cannabis  
Cannabis resin  
Cantharadin  
Capecitabine  
Capreomycin sulphate  
Captodiamine  
Captopril  
Caramiphen  
Carbachol  
Carbamazepine  
Carbenicillin  
Carbenoxolone  
Carbidopa  
Carbidopa Monohydrate  
Carbimazole  
Carbocysteine  
Carbon Tetrachloride  
Carboxymethylcysteine  
Carfecillin  
Carfentanil  
Carisoprodol  
Carmustine  
Carperidine  
Carphenazine  
Carvedilol  
CCNU, Lomustine  
Cathine  
Cefaclor  
Cefadroxil  
Cefdinir  
Cefixime  
Cefotaxime  
Cefoxitin  
Cefpodoxime Proxetil

**PHARMACY AND POISONS ACT 1979**

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Cefsulodin	
Ceftolozane	
Cefuroxime	
Celecoxib	
Centella Asiatica -	extract and active principals thereof (if for internal use)
Cephalexin	
Cephaloglycin	
Cephaloram	
Cephaloridine	
Cephalosporin C	
Cephalosporin E	
Cephalosporin N	
Cephalothin Sodium	
Cephmandole	
Cephazolin Sodium	
Cephradine	
Cerium Oxalate	
Chemocycline preparations	
Chenodeoxycholic Acid	
Chloral Antipyrine	
Chloral Betaine	
Chloral Formamide	
Chloral Glycerolate	
Chloral Hydrate	
Chloralose	
Chloralurethane	
Chlorambucil	
Chloramphenicol	
Clorazepic acid	
Chlordiazepoxide	
Chlorhexadol	
Chlorisondamine Chloride	
Chlormadinone Acetate	
Chlormerodrin	
Chlormethiazole	
Chlormezanone	
Chlorodyne BP	
Chloroform -	for inhalational use

## PHARMACY AND POISONS ACT 1979

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Chloroform and Morphine Tincture BP  
Chloroquine  
Chlorothiazide  
Chlorotrianisene  
Chlorphenoxamine  
Chlorphentermine  
Chlorpromazine  
Chlorpropamide  
Chlorprothixene  
Chlortetracycline  
Chlorthalidone  
Chlorzoxazone  
Cholestyramine  
Cholic Acid  
Choline Magnesium Trisilicate  
Choline Theophyllinate  
Chorionic Gonadotrophin  
Chymotrypsin - for parenteral or ophthalmic use  
Ciclacillin  
Ciclopirox  
Cilazapril  
Cimetidine  
Cinacalcet  
Cinchocaine - in preparations for local ophthalmic use  
Cinchophen  
Cinoxacin  
Ciprofloxacin  
Cisplatin  
Citalopram  
Citrated Calcium Carbimide  
Clarithromycin  
Clavulanic Acid  
Clemizole  
Clenbuterol  
Clidinium Bromide  
Clindamycin  
Clioquinol  
Clobazam  
Clobetasol 17-propionate

## PHARMACY AND POISONS ACT 1979

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Clobetasone Butyrate	
Clofazimine	
Clofibrate	
Clomiphene Citrate	
Clomipramine	
Clomocycline	
Clonazepam	
Clonidine	
Clonitazene	
Clopamide	
Clopenthixol	
Clopidogrel	
Cloprostenol Sodium	
Clorazepate	
Clorexolone	
Clorprenaline	
Clostebol Acetate	
Clotiazepam	
Cloxacillin	
Cloxazolam	
Clozapine	
Cocaine	
Cocculus Indicus	
Cocillana Compound Syrup BP 1949	
Codeine -	for non-parenteral use with ms greater than 8mg calculated as base
Co-dergocrine Mesylate	
Colchicine	
Colesevelam	
Colestipol	
Colistin	
Collagen preparations -	if for implantation under the skin
Collagenase -	when sold or recommended as a debriding agent
Colocynth and Jalap Compound Tablets BP 1963	
Coniine	
Conium Leaf	
Contraceptives -	oral

## PHARMACY AND POISONS ACT 1979

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Corticotrophin  
Cortisone  
Cortodoxone  
Cotarnine Chloride  
Co-Trifamole  
Co-trimoxazole, Sulfamethoxazole/  
Trimethoprim  
Coumarin derivatives  
Crisaborole  
Cropropamide  
Crotamiton  
Crotethamide  
Croton Oil  
Croton Seed  
Cuemid  
Curare  
Cyclandelate - in nausea and vomiting in pregnancy  
Cyclizine  
Cyclobarbitone  
Cyclobenzaprine  
Cyclofenil  
Cyclomethycaine  
Cyclopentamine  
Cyclopenthiiazide  
Cyclopentolate  
Cyclophosphamide  
Cyclopropane - for inhalational use  
Cycloserine  
Cyclosporin preparations  
Cyclothiazide  
Cycrimine  
Cyproheptadine  
Cyproterone Acetate  
Cyrkrimine  
Cytarabine  
Dabigatran  
Dacarbazine  
Daclizumab

**PHARMACY AND POISONS ACT 1979**

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Dactinomycin  
Dalteparin  
Danazol  
Dantrolene  
Dapagliflozin  
Dapsone  
Darifenacin  
Dasatinib  
Daunorubicin  
Deanol  
Debrisoquine  
Deferasirox  
Deferiprone  
Dehydrocholic Acid  
Dehydroemetine  
Dehydroepiandrosterone  
Delmadinone Acetate  
Delorazepam  
Demecarium Bromide  
Demeclocycline  
Denosumab  
Deoxycortone  
Deoxyribonuclease  
Deptropine  
Dequalinium Chloride  
Deserpidine  
Desferrioxamine  
Desfluorotriamcinolone  
Desipramine  
Deslanoside  
Desmopressin  
Desogestrel  
Desomorphine  
Desonide  
Desoximetasone, Desoxymethasone  
Desoxymethasone, Desoximetasone  
Dexamethasone  
Dexamphetamine, Dextroamphetamine  
Dexetimide



## PHARMACY AND POISONS ACT 1979

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Dexlansoprazole	
Dextranomer preparations -	for medicinal use
Dextroamphetamine,	
Dexamphetamine	
Dextromethorphan	
Dextromoramide	
Dextropropoxyphene	
Dextrothyroxine	
Diamorphine	
Diampromide	
Diazepam	
Diazoxide	
Dibenyline preparations	
Dibenzepin	
Dichloralphenazone	
Dichlorophenarsine	
Dichlorphenamide	
Diclofenac Sodium	
Dicloxacillin	
Dicobalt Edetate	
Dicyclomine, Dicloverine	
Dicyloverine, Dicyclomine	
Didanosine	
Dienoestrol	
Diethanolamine Fusidate	
Diethyl Carbamazine Citrate	
Diethylpropion	
Diethylamide Ethyl Benzilate	
Diethylamine Acetarsol	
Diethylstilboestrol -	and derivatives if for medicinal use
Diethylthiambutene	
Difenoxin -	(1-(3-cyano-3, 3-diphenylpropyl)-4-phenyl piperidine-4- carboxylic acid)
Diflorasone	
Diffucortolone Valerate	
Diffunisal	
Digitalis Leaf	
Digitalis prepared	
Digitoxin	

## PHARMACY AND POISONS ACT 1979

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Digoxin  
Dihyergot preparations  
Dihydralazine  
Dihydrocodeine  
Dihydrocodeinone O-Carboxymethyloxime  
Dihydroergocornine  
Dihydroergocristine  
Dihydroergocryptine  
Dihydroergotamine  
Dihydroergotoxine  
Dihydromorphine  
Dihydrostreptomycin  
Di-iodohydroxquinoline  
Diloxanide Furoate  
Diltiazem  
Dimenoxadole  
Dimepheptanol  
Dimepregnen  
Dimercaprol  
Dimethisoquin - in preparations for local ophthalmic use  
Dimethisterone  
Dimethothiazine  
Dimethyl Sulphoxide  
Dimethylthiambutene  
Dimethyltubocurarine  
Dinitrodiphenylsulphonylethylenediamine  
Dinitrophenol, 2,4- - and derivatives if for medicinal use  
Dinoprost  
Dinoprostone  
Dioxaphetyl Butyrate  
Diphenhydramine - for parenteral use  
Diphenidol  
Diphenoxylate  
Diphetarsonsone  
Diphylline  
Dipipanone  
Dipivefrin  
Diprenorphine

## PHARMACY AND POISONS ACT 1979

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Diprophylline  
Dipropyltryptamine  
Dipyridamole  
Dipyrene  
Disodium Etidronate  
Disopyramide  
Distigmine Bromide  
Disulfiram  
Disulphamide  
Dobutamine  
Dolutegravir  
Domperidone  
Donepezil Hydrochloride  
Dopamine  
Dorzolamide  
Dothiepin  
Doxapram  
Doxazosin  
Doxepin  
Doxorubicin  
Doxycycline  
Doxycycline Calcium Chelate  
Dronabinol  
Dronedarone  
Droperidol  
Drostanolone  
Drotebanol  
Dulaglutide  
Duloxetine  
Dutasteride  
Dydrogesterone  
Dyflos  
Ecgonine - any derivative of ecgonine which is convertible to ecgonine or to cocaine  
Econazole  
Ecothiopate Iodide  
Ectyl urea  
Edogestrone  
Edoxaban

## PHARMACY AND POISONS ACT 1979

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Edrophonium Chloride  
Efavirenz  
Eflornithine  
Eletriptan  
Eltrombopag  
Eluxadoline  
Embutramide  
Emepronium Bromide  
Emeside preparations  
Emetine  
Empagliflozin  
Emtricitabine  
Emylcamate  
Enalapril  
Enestebol  
Enflurane - for inhalational use  
Enoxaparin  
Entacapone  
Entecavir  
Ephedrine  
Ephedrine - in inhalers  
Epicillin  
Epinastine  
Epioestriol  
Epithiazide  
Epitiostanol  
Eplerenone  
Epoprostenol  
Ergometrine Maleate  
Ergot - prepared  
Ergotamine  
Ergotoxine  
Erlotinib  
Erythrityl Tetranitrate  
Erythromycin  
Escitalopram  
Esomeprazole  
Estazolam  
Estradiol

## PHARMACY AND POISONS ACT 1979

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Estramustine Phosphate	
Estrogens, conjugated	
Etafedrine	
Etamiphylline	
Etanercept	
Ethacrynic Acid	
Ethambutol	
Ethamivan	
Ethamsylate	
Ethanolamine Oleate	
Ethchlorvynol	
Ethebenecid	
Ether -	for inhalational use
Ethiazide	
Ethinamate	
Ethinylestradiol	
Ethionamide	
Ethisterone	
Ethoglucid	
Ethoheptazine Citrate	
Ethopropazine	
Ethosuximide	
Ethotoin	
Ethulose	
Ethyl Acetanilide	
Ethyl Alcohol -	for internal use 45%
Ethyl Biscoumacetate	
Ethyl loflazepate	
Ethyl N-heptyloxyacetate -	if for internal use
Ethylmethylthiambutene	
Ethylmorphine -	if for non-parenteral use and (a) in undivided preparations with ms 2.5% (calculated as base); or(b) in single-dose preparations with ms per dosage unit 100mg (calculated as base)
Ethyloestrenol	
Ethylstibamine	
Ethynodiol Diacetate	
Etidronate Disodium	
Etodolac	

## PHARMACY AND POISONS ACT 1979

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Etomidate  
Etonitazene  
Etonorgestrel  
Etoposide  
Etoricoxib  
Etorphine  
Etoxeridine  
Etravirine  
Etretinate  
Etymemazine  
Everolimus  
Evolocumab  
Exemestane  
Exenatide  
Ezetimibe  
Factor XIII Concentrate  
Factor VIII  
Famciclovir  
Famotidine  
Famprofazone  
Fazadinium Bromide  
Febuxostat  
Felodipine  
Fencamfamin  
Fenclofenac  
Fenethylline  
Fenfluramine (not in combination with  
Phentermine)  
Fenofibrate  
Fenoprofen  
Fenoterol  
Fenpipramide  
Fenpiprane  
Fentanyl  
Fenproporex  
Fentiazac  
Fentin Compounds  
Feprazone  
Ferrous Arsenate

## PHARMACY AND POISONS ACT 1979

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Ferrous salts - for parenteral use  
Fesoterodine  
Fibrinolysin  
Finasteride  
Flavoxate  
Flecainide  
Floctafenine  
Florantyrone  
Floxacen preparations  
Fluanisone  
Fluclorolone Acetonide  
Flucloxacillin  
Fluconazole  
Flucytosine  
Fludarabine  
Fludiazepam  
Fludrocortisone Acetate  
Flufenamic Acid  
Flugestone  
Flumedroxone Acetate  
Flumethasone  
Flumethiazide  
Flunitrazepam  
Flunixin  
Fluocinolone Acetonide  
Fluocinonide  
Fluocortolone  
Fluopromazine  
Fluorometholone  
Fluorouracil, 5-FU  
Fluoxetine  
Fluoxymesterone  
Flupenthixol  
Flupentixol  
Fluperolene Acetate  
Fluphenazine  
Fluprednidene Acetate  
Fluprednisolone  
Fluprostenol

## PHARMACY AND POISONS ACT 1979

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Flurandrenolone  
Flurazepam  
Flurbiprofen  
Fluspirilene  
Flutamide  
Fluticasone  
Fluvastatin  
Fluvoxamine  
Folic Acid - md greater than 1mg  
Follicle stimulating hormone  
Formebolone  
Formocortol  
Formosulphathiazole  
Formoterol  
Fosfestrol Tetrasodium  
Fosinopril  
Framycetin Sulphate  
Frovatriptan  
Frusemide, Furosemide  
Fumagillin  
Furaltadone  
Furazolidone  
Furethidine  
Furoxone preparations  
Fusafungine  
Fusidic Acid  
Gabapentin  
Galantamine  
Gallamine Triethiodide  
Gefitinib  
Gelsemine  
Gelsemium  
Gemfibrozil  
Gentamicin  
Gestrenol  
Glafenine  
Glecaprevir  
Glibenclamide  
Glibornuride



## PHARMACY AND POISONS ACT 1979

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Gliclazide  
Glimepiride  
Glipizide  
Gliquidone  
Glutethimide  
Glyburide  
Glyceryl Trinitrate preparations,  
Nitroglycerin  
Glycopyrrolate  
Glycopyrronium Bromide  
Glymidine  
Glytona  
Gonadotrophon LH  
Goserelin  
Gramicidin  
Granisetron  
Gravigard  
Griseofulvin  
Growth hormone  
Guanethidine  
Guanfacine  
Guanoclor  
Guanoxan  
Hachimycin  
Halazepam  
Halcinonide  
Halobetasol  
Haloperidol  
Haloprogin  
Halopyramine  
Halothane  
Haloxazolam  
Halquinol  
Heparin  
Heptabarbitone  
Heptaminol  
Hetacillin  
Hexachlorophane  
Hexamethonium

## PHARMACY AND POISONS ACT 1979

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Hexamine	
Hexobarbitone	
Hexoestrol	
Histidine	
Homatropine -	in preparations for local ophthalmic use
Homatropine Hydrobromide	
Homatropine Methylbromide	
Hyaluronidase	
Hydralazine	
Hydrargaphen	
Hydrobromic Acid	
Hydrochlorothiazide	
Hydrocodone	
Hydrocortamate	
Hydrocortisone	
Hydroflumethiazide	
Hydrogen cyanide	
Hydromorphanol	
Hydromorphone	
Hydroquinone -	ms 4% and above
Hydroxy-3-nitrophenylarsonic Acid, 4-	
Hydroxychloroquine	
Hydroxycholecalciferol, 1, $\alpha$ -	
Hydroxymethylgramicidin	
Hydroxypethidine	
Hydroxyprogesterone	
Hydroxyurea	
Hydroxyzine	
Hygromycine B	
Hyoscine -	in preparations for local ophthalmic use
Hyoscine Butylbromide -	in inhalers
Hyoscine Hydrobromide -	in inhalers
Hyoscine Methobromide -	in inhalers
Hyoscyamine -	in inhalers
Hypnomidate Concentrate	
Ibandronate	
Ibogaine	
Ibuprofen -	md greater than 400mg
Idarubicin	

## PHARMACY AND POISONS ACT 1979

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Idoxuridine	
Ifosfamide	
Imatinib	
Imipramine	
Imiquimod	
Immunoglobulins	
Indapamide Hemihydrate	
Indinavir	
Indomethacin	
Infliximab	
Injectables -	except insulins
Injections -	except insulins
Inosine Pranobex	
Intra-uterine contraceptive devices	
Intravenous Fluids -	all
Iodoxamic Acid	
Iopanoic Acid	
Ipratropium Bromide	
Iprindole	
Iproniazid	
Irbesartan	
Isoaminile	
Isocarboxazid	
Isoconazole preparations	
Isoetharine	
Isoflurane -	if for inhalational use
Isomethadone	
Isometheptene	
Isoniazid	
Isoprenaline	
Isopropamide Iodide	
Isopropylaminophenazone	
Isosorbide Dinitrate preparations	
Isosorbide Mononitrate preparations	
Isotretinoin	
Isoxsuprine	
Isradipine	
Itraconazole	

## PHARMACY AND POISONS ACT 1979

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Ivabradine  
Ivermectin  
Ixekizumab  
Jaborandi  
Kanamycin Sulphate  
Ketamine  
Ketazolam  
Ketobemidone  
Ketoconazole  
Ketoprofen  
Ketorolac Trometamol  
Ketotifen  
Khellin  
Labetolol  
Lacosamide  
Lamivudine  
Lamotrigine  
Lanatoside  
Lansoprazole  
Lanthanum  
Lapatinib  
Latamoxef  
Latanoprost - in preparations for local ophthalmic use  
Lead and Opium Lotion BP 1959  
Lead Arsenate  
Ledipasvir  
Lefetamine  
Leflunomide  
Letrozole  
Leuprolide  
Levallorphan  
Levetiracetam  
Levocetirizine  
Levodopa  
Levofloxacin  
Levomethorphan  
Levomoramide  
Levonorgestrel - except levonorgestrel 1.5mg  
Levophenacymorphan

## PHARMACY AND POISONS ACT 1979

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Levorphanol  
Levothyroxine  
Lidoflazine  
Lignocaine - in preparations for local ophthalmic use  
Linagliptin  
Linaglotide  
Lincomycin  
Linezolid  
Liothyronine  
Liraglutide  
Lisdexamphetamine  
Lisdexamfetamine, Lisdexamphetamine  
Lisinopril  
Lithium Carbonate  
Lithium Sulphate  
Lobeline  
Lodoxamide  
Lofentanil  
Lofepamine  
Lomustine, CCNU  
Loperamide  
Lopinavir  
Loprazolam  
Lorazepam  
Lorcaserin  
Lormetazepam  
Losartan  
Loteprednol Etabonate  
Loxapine  
Luteinising hormone  
Lynoestrenol  
Lypressin  
Mafenide  
Magnesium Bromide  
Magnesium Fluoride  
Magnesium Glutamate  
Mandragora Autumnalis  
Mannomustine  
Maprotiline

## PHARMACY AND POISONS ACT 1979

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Maraviroc	
Mazindol	
Mebanazine	
Mebeverine	
Mebezonium Iodide	
Mebhydrolin	
Mebolazine	
Mecamylamine	
Mechlorethamine	
Mecillinam	
Mecizine, Meclozine -	if sold or recommended for the prevention of nausea of pregnancy
Meclofenamic Acid	
Meclofenoxate	
Mecloqualone	
Meclozine -	if sold or recommended for the prevention of nausea of pregnancy
Medazepam	
Medicinal Opium -	if in preparations from which the opium cannot be readily recovered in amounts which constitute a risk to health and, also if in liquid preparations with ms 0.2% (calculated as anhydrous morphine base); in solid preparations with ms 0.2% (calculated as anhydrous morphine base)
Medigoxin	
Medrogestone	
Medroxyprogesterone Acetate	
Mefenamic Acid	
Mefenorex	
Mefloquine	
Mefruside	
Megestrol	
Meglumine Diatrizoate	
Melarsonyl Potassium	
Melarsoprol	
Melengestrol	
Meloxicam	
Melphalan	
Memantine	

## PHARMACY AND POISONS ACT 1979

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Menadiol -	if for parenteral route
Menotrophin	
Mepazine	
Mepenzolate	
Mephenesin	
Mephenoxolone	
Mephentermine	
Mepitiostane	
Mepivacaine -	in preparations for local ophthalmic use
Meprobamate	
Meptazinol	
Mepyramine	
Mequitazine	
Mercaptopurine, 6-MP	
Mercuderamide	
Mesabolone	
Mersalyl Acid	
Mesalamine	
Mescaline	
Mesna	
Mesoridazine	
Mestanolone	
Mesterolone	
Mestranol	
Metabutethamine -	in preparations for local ophthalmic use
Metaldehyde -	if for medicinal use
Metaraminol	
Metaxalone	
Metazocine	
Metformin	
Methacycline	
Methadone	
Methadyl Acetate	
Methallenoestril	
Methandienone	
Methandriol	
Methaqualone	
Metharbitone	
Methazolamide	

## PHARMACY AND POISONS ACT 1979

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Methdilazine  
Methenamine  
Methenolone  
Methicillin  
Methimazole  
Methionine - all isomers  
Methisazone  
Methixene  
Methohexitone  
Methoin  
Methoserpidine  
Methotrexate  
Methotrimeprazine  
Methoxamine  
Methoxsalen  
Methoxyflurane - for inhalational purposes  
Methoxyphenamine  
Methoxy Polyethylene Glycol-Epoetin Beta  
Methsuximide  
Methylaminorex  
Methyclothiazide  
Methyl benzoquate  
Methyl-3-Piperidylbenzilate, N-  
Methylacetanilide, N-  
Methylamphetamine  
Methyl-desorphine  
Methyldihydromorphine  
Methyldihydromorphinone  
Methyldopa  
Methylephedrine  
Methylergometrine  
Methylergonovine  
Methylparafynol  
Methylpentynol  
Methylphenidate  
Methylphenobarbitone  
Methylprednisolone  
Methylsulphonal



## **PHARMACY AND POISONS ACT 1979**

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Methyltestosterone  
Methylthiouracil  
Methyclothiazide  
Methyprylone  
Methysergide  
Metiguanide Tablets  
Metindizate  
Metirosine  
Metoclopramide  
Metolazone  
Metomidate  
Metopon  
Metopimazine  
Metoprolol  
Metribolone  
Metronidazole  
Metyrapone  
Mexiletine  
Mezlocillin  
Mianserin  
Mibolerone  
Midazolam  
Midodrine  
Mifepristone  
Minocycline  
Minoxidil  
Mirtazapine  
Misoprostol  
Mithramycin  
Mitobronitol  
Mitomycin C  
Mitopodozide  
Mitotane  
Moclobemide  
Modafinil  
Moexipril  
Molindone  
Mometasone  
Monensin

## PHARMACY AND POISONS ACT 1979

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Monosulfiram -	for internal use
Montelukast	
Morazone	
Morpheridine	
Morphine -	in liquid preparations with ms 0.2% (calculated as anhydrous morphine base); in solid preparations with ms 0.2% (calculated as anhydrous morphine base); in pentavalent nitrogen derivatives
Morphine Methobromide -	morphine N-Oxide and other pentavalent nitrogen morphine derivatives
Moxifloxacin	
Mupirocin	
Mustine	
Mycophenolate Mofetil	
Myrophine	
N-Ethylamphetamine	
N-Ethyl-3-Piperidylbenzilate	
Nabilone	
Nabiximols	
Nabumetone	
Nadolol	
Nafcillin	
Naftidrofuryl Oxalate	
Nalbuphine	
Nalidixic Acid	
Nalorphine	
Naloxone	
Naltrexone	
Nandrolone	
Naphazoline	
Naproxen	
Narasin	
Naratriptan	
Natamycin	
Nateglinide	
Nealbarbitone	
Nedocromil	
Nefopam	

## PHARMACY AND POISONS ACT 1979

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Nelfinavir  
Neoarsphenamine  
Neocinchophen  
Neomycin  
Neostigmine  
Nepafenac - in preparations for local ophthalmic use  
Nepenthe Oral Solution  
Netilmycin  
Nevirapine  
Nialamide  
Nicardipine  
Nicocodine  
Nicodicodine  
Nicodicodine, Nicotinoyldihydrocodeine  
Nicomorphine  
Nicotinaldehyde Thio-semicarbazone  
Nicotine - for human use (except in natural substances)  
Nicotinoyldihydrocodeine  
Nicodicodine  
Nicoumalone  
Nifedipine  
Nifenazone  
Niflumic Acid  
Nifuratel  
Nikethamide  
Nilotinib  
Nimetazepam  
Nimorazole  
Niridazole  
Nitrazepam  
Nitrofurantoin  
Nitrofurazone  
Nitroglycerin, Glyceryl Trinitrate  
Nitroprusside Sodium  
Nitroxoline  
Nizatidine  
Nomifensine  
Noracymethadol  
Noradrenaline

## PHARMACY AND POISONS ACT 1979

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Norboletone	
Norclostebol	
Norcodeine	
Nordazepam, Nordiazepam	
Norethandrolone	
Norethindrone	
Norethisterone	
Norethynodrel	
Norfloxacin	
Norgestrel	
Norlevorphanol	
Normethadone	
Normorphine	
Norpipanone	
Nortriptyline	
Novobiocin	
Nux Vomica Seed	
Nux Vomica Tincture BP	
Nystatin -	except for topical use
Obeticholic Acid	
Ocrelizumab	
Octacosactrin	
Oestradiol	
Oestriol	
Oestrogenic substances, conjugated	
Oestrone	
Ofloxacin	
Olanzapine	
Oleandomycin	
Olmesartan	
Olopatadine -	in preparations for local ophthalmic use
Omeprazole -	ms greater than 10mg
Ondansetron	
Opipramol	
Opium, raw	
Opium, Tincture BP	
Oral contraceptives -	except for levonorgestrel 1.5mg
Orciprenaline	

**PHARMACY AND POISONS ACT 1979**

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Orlistat -	ms greater than 60mg
Orphenadrine	
Orthocaine -	in preparations for local ophthalmic use
Oseltamivir	
Ouabain	
Ovandrotone	
Ovarian Gland, dried	
Oxabolone	
Oxacillin	
Oxamniquine	
Oxanamide	
Oxandrolone	
Oxantel Pamoate	
Oxatomide	
Oxazepam	
Oxazolam	
Oxcarbazepine	
Oxedrine	
Oxethazaine	
Oxolinic Acid	
Oxophenarsine	
Oxprenolol	
Oxtriphylline	
Oxybuprocaine -	except in preparations for local ophthalmic use
Oxybutynin	
Oxycodone	
Oxymesterone	
Oxymetholone	
Oxymorphone	
Oxypertine	
Oxyphenbutazone	
Oxyphenyclimine	
Oxyphenonium Bromide	
Oxytetracycline	
Oxytetracycline Dihydrate	
Oxytocins -	natural and synthetic
Palbociclib	

## PHARMACY AND POISONS ACT 1979

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Paliperidone  
Pancrelipase  
Pancreatin  
Pancuronium Bromide  
Pantoprazole  
Papaverine  
Papaverine - in inhalers  
Papaveroline  
Paradione Capsules  
Paraldehyde  
Paramethadione  
Paramethasone Acetate  
Parathyroid Gland  
Paregoric BP  
Pargyline  
Paromomycin  
Paroxetine  
Pavaveroline 2-sulphonic Acid  
Pazopanib  
Pecilocin  
Pembrolizumab  
Pemoline  
Pempidine  
Penamecillin  
Penbutolol  
Penethamate  
Penicillamine  
Penicillins - all  
Pentacosactride  
Pentaerythritol Tetranitrate  
Pentazocine  
Penthienate bromide  
Pentobarbitone  
Pentolinium Tartrate  
Pentosan Polysulfate Sodium  
Pentoxifylline  
Pentrium Tablets  
Peramivir  
Pergolide

## PHARMACY AND POISONS ACT 1979

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Perhexiline	
Pericyazine	
Perindopril	
Perphenazine	
Pethidine	
Phacetoperane	
Phenacaine -	except in preparations for local ophthalmic use
Phenacemide	
Phenadoxone	
Phenaglycodol	
Phenampromide	
Phenarsons Sulphoxylate	
Phenazocine	
Phenazone	
Phenazone and Caffeine Citrate	
Phenazone Salicylate	
Phenbenicillin Potassium	
Phenbutrazate	
Phencyclidine	
Phendimetrazine	
Phenelzine Sulphate	
Phenethicillin Potassium	
Phenethylamine -	derivatives formed by substitution in the ring to any extent with alkyl, alkoxy, alkylenedioxy or halide substitutes, whether or not further substituted in the ring by one or more other univalent substituents with alkyl, alkoxy, alkylenedioxy or halide substitutes, whether or not further substituted in the ring by one or more other univalent substituents
Pheneturide	
Phenylglutarimide	
Phenindione	
Pheniprazine	
Phenmetrazine	
Phenobarbitone	
Phenol -	for parenteral use
Phenomorphane	
Phenoperidine	

## PHARMACY AND POISONS ACT 1979

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Phenoxybenzamine	
Phenoxymethylpenicillin	
Phenprocoumon	
Phensuximide	
Phentermine	
Phentermine Resin Complex	
Phentolamine	
Phentoxate	
Phenylaminosalicylate	
Phenylbutazone	
Phenylephrine -	if for ophthalmic or nasal administration; above 1%w/v
Phenylindanedione -	and its derivatives
Phenylmethylbarbituric Acid	
Phenylpropanolamine	
Phenytoin	
Phenytoin Sodium	
Pholcodine -	if for non-parenteral use and in undivided preparations with ms 2.5% (calculated as base) if for non-parenteral use and in single- dose preparations with ms per dosage unit 100 mg (calculated as base)
Phthalysulphacetamide	
Phthalylsulfathiazole	
Physostigmine	
Phytomenadione, Phytonadione	
Phytonadione, Phytomenadione	
Pibrentasvir	
Picrotoxin	
Pilocarpine	
Pimecrolimus	
Piminodine	
Pimozide	
Pinazepam	
Pindolol	
Pioglitazone	
Pipamazin	
Pipenzolate Bromide	
Piperacetazine	



## PHARMACY AND POISONS ACT 1979

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Piperacillin	
Piperazine Oestrone Sulphate	
Piperidolate	
Piperilate	
Pipobroman	
Pipothiazine	
Pipradol	
Piracetam	
Pirbuterol	
Pirenzepine	
Piretanide	
Piritramide	
Piroxicam	
Pituitary extract	
Pituitary Gland (whole dried)-	if in inhalers
Pituitary powdered (posterior lobe) -	if in inhalers
Pivampicillin	
Pivmecillinam	
Pizotifen	
Podophyllotoxin	
Podophyllum	
Podophyllum Indian	
Podophyllum Resin	
Poldine Methylsulphate	
Polidexide	
Poliovaccines -	all
Polymyxin B Sulphate -	if for parenteral use
Polynoxylin	
Polyoestradiol Phosphate	
Polysaccharide Iron Complex	
Polythiazide	
Posaconazole	
Potassium Aminosalicylate	
Potassium Arsenite	
Potassium Bromide	
Potassium Chloride -	ms greater than 99mg
Potassium Clorazepate	
Potassium Gluconate	

## PHARMACY AND POISONS ACT 1979

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Potassium Hydroxyquinolone	
Potassium Perchlorate	
Practolol	
Pralidoxime	
Pramipexole	
Prasterone	
Pravastatin	
Prazepam	
Prazosin	
Prednisolone	
Prednisone	
Pregabalin	
Prenylamine Lactate	
Prethcamide	
Prilocaine -	except in preparations for local ophthalmic use
Primaquine Phosphate	
Primidone	
Probenecid	
Probucol	
Procainamide	
Procaine -	except in preparations for local ophthalmic use
Procaine Penicillin	
Procarbazine	
Prochlorperazine	
Procyclidine	
Prodilidine	
Progesterone	
Proguanil	
Proheptazine	
Prolactin	
Proligestone	
Prolintane	
Promazine	
Promethazine -	if for parenteral use
Propafenone	
Propanidid	
Propantheline Bromide	

## PHARMACY AND POISONS ACT 1979

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Proparacaine -	in preparations for oral, parenteral and ophthalmic use
Properidine	
Propetandrol	
Propicillin	
Propiomazine	
Propiram	
Propiverine Hydrochloride'	
Propranolol	
Propylhexedrine -	if in inhalers
Propylidone	
Propylthiouracil	
Propyphenzone	
Proquamezine	
Prostaglandins -	all
Protamine	
Proteline	
Prothionamide	
Prothipendyl	
Protirelin	
Protoveratrine A and B	
Protriptyline	
Proxymetacaine -	except in preparations for local ophthalmic use
Proxiphylline	
Pseudoephedrine	
Psilocybin	
Pyrazinamide	
Pyridostigmine Bromide	
Pyrimethamine	
Pyroglutamyl	
Pyrovalerone	
Quetiapine	
Quinagolide	
Quinalbarbitone	
Quinapril	
Quinbolone	
Quinestradol	

**PHARMACY AND POISONS ACT 1979**

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Quinestrol  
Quinethazone  
Quingestanol  
Quinidine  
Quinine  
Quinuronium Sulphate

Rabeprazole  
Racemethorphan  
Racemoramide  
Racemorphan  
Racephedrine

Ragwort  
Raloxifene  
Raltegravir  
Ramipril  
Ranibizumab  
Ranitidine  
Rasagiline

Razoxane  
Repaglinide  
Reproterol  
Rescinnamine  
Reserpine  
Retinol -

for oral use in preparations containing more than 10,000 units per dosage unit if for parenteral use

Ribavirin  
Rifamide  
Rifampicin  
Rifamycin  
Rifaximin  
Rilpivirine  
Riluzole  
Rimexolone  
Rimiterol  
Risedronate  
Risperidone  
Ristocetin

## PHARMACY AND POISONS ACT 1979

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Ritodrine  
Ritonavir  
Rituximab  
Rivaroxaban  
Rivastigmine  
Rizatriptan  
Rolitetracycline Nitrate  
Ropinirole  
Rosiglitazone  
Rosuvastatin  
Rotigotine  
Roxibolone  
Rufinamide  
Rupatadine

Sabadilla  
Salazosulphadimidine  
Salbutamol, Albuterol  
Salcatonin  
Salmefamol  
Salmeterol  
Salsalate  
Sandostatin  
Saquinavir  
Sarilumab  
Saxagliptin  
Secbutobarbitone  
Secukinumab  
Selegiline  
Sertraline  
Sevelamer Carbonate  
Sevelamer Hydrochloride  
Silandrone  
Sildenafil  
Silver Nitrate - if for medicinal use  
Silver Sulphadiazine  
Simvastatin  
Sirolimus  
Sissomicin

## PHARMACY AND POISONS ACT 1979

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Sitagliptin  
Sodium Aminosalicylate  
Sodium Antimonylgluconate  
Sodium Apolate  
Sodium Arsanilate  
Sodium Arsenate  
Sodium Arsenite  
Sodium Aurothiomalate  
Sodium Bromate  
Sodium Bromide  
Sodium Cacodylate  
Sodium Cromoglycate  
Sodium Ethacrynate  
Sodium Fluoride  
Sodium Fusidate  
Sodium Iodide preparations - for internal use  
Sodium Methylarsinate  
Sodium Monofluorophosphate - no restriction if in dentifrices and ms 1.14%  
Sodium Nitroprusside  
Sodium Stibogluconate  
Sodium Tauroglycocholate  
Sodium Tetradecyl Sulphate  
Sodium Valproate  
Sofosubir  
Solapsone  
Solifenacin  
Somatotropin, Somatrophin  
Somatrem  
Sorafenib  
Sotalol  
Spectinomycin  
Spiramycin  
Spironolactone  
Stannous Fluoride  
Stanolone  
Stanozolol  
Stavudine  
Stenbolone  
Stibocaptate

## PHARMACY AND POISONS ACT 1979

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Stibophen  
Stilboestrol  
Streptodornase  
Streptokinase  
Streptomycin  
Streptozocin  
Strontium Bromide  
Strophanthin-K  
Strychnine  
Styramate  
Succinamide  
Succinylsulphathiazole  
Sucralfate  
Sufentanil  
Sulbutiamine  
Sulfacytine  
Sulfadicramide  
Sulfadoxine  
Sulfamethoxazole, Sulphamethoxazole  
Sulfamethoxazole / Trimethoprim, Co-  
trimoxazole  
Sulfametopyrazine  
Sulfamonomethoxine  
Sulfapyrazole  
Sulfasuxidine Tablets  
Sulfonamide, Sulphonamide  
Sulfoxone  
Sulindac  
Sulphabromomethazine  
Sulphacetamide  
Sulphachlorpyridazine  
Sulphadiazine  
Sulphadimethoxine  
Sulphadimidine  
Sulphaethidole  
Sulphafurazole  
Sulphafurazole Diethanolamine  
Sulphaguanidine  
Sulphaloxic Acid

## PHARMACY AND POISONS ACT 1979

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Sulphamerazine  
Sulphamethizole  
Sulphamethoxazole, Sulfamethoxazole  
Sulphamethoxydiazine  
Sulphamethoxypyridazine  
Sulphamethylphenazole  
Sulphamezathine preparations  
Sulphamoprine  
Sulphamoxole  
Sulphanilamide  
Sulphanitran  
Sulphaphenazole  
Sulphapyridine  
Sulphaquinoxaline  
Sulphasalazine, Sulfasalazine  
Sulphasomidine  
Sulphathiazole  
Sulphathiourea  
Sulphatolamide  
Sulphaurea  
Sulphinpyrazone  
Sulphomyxin  
Sulphonal  
Sulphonamide, Sulfonamide  
Sulpiride  
Sulthiame  
Sumatriptan  
Sunitinib  
Suprofen  
Sutilains - when sold or recommended as a debriding agent  
  
Suxamethonium Bromide  
Suxamethonium Chloride  
Suxethonium Bromide  
  
Tacrine  
Tacrolimus  
Tadalafil  
Talampicillin



## PHARMACY AND POISONS ACT 1979

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Tamoxifen  
Tamsulosin  
Tapentadol  
Tazarotene  
Tazobactam  
Teclonthiazide Potassium  
Telithromycin  
Telmisartan  
Temazepam  
Temozolomide  
Tenofovir  
Terazosin  
Terbutaline  
Terfenadine  
Teriflunomide  
Testosterone  
Testosterone 17B Chloral Hemiacetal  
Tetrabenazine  
Tetracaine - if for parenteral or ophthalmic use  
Tetracosactrin  
Tetracycline  
Tetracycline Phosphate Complex  
Tetrasodium Fostestrol  
Tetrazepam  
Thalidomide  
Thallium Acetate  
Thebacon - and its salts  
Thebaine  
Theobromine  
Theophylline  
Thiambutosine  
Thiethylperazine  
Thiocarlide  
Thioguanine, Tioguanine  
Thiomesterone  
Thiopropazate  
Thiopropazine  
Thioridazine  
Thiosinamine

## **PHARMACY AND POISONS ACT 1979**

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Thiosinamine and Ethyl Iodide  
Thiotepa  
Thiothixene  
Thiouracil  
Thrombin preparations  
Thymoxamine  
Thyroid  
Thyrotrophin  
Thyrotrophin releasing hormone  
Thyroxine Sodium  
Tiagabine  
Tianulin  
Tiaprofenic Acid  
Ticagrelor  
Ticarcillin  
Tigloidine  
Tilidate  
Timolol  
Tinidazole  
Tinzaparin  
Tioguanine, Thioguanine  
Tiotropium  
Tipranavir  
Tizanidine  
Tobramycin  
Tocainide  
Tofacitinib  
Tofenacin  
Tolazamide  
Tolazoline  
Tolbutamide  
Tolcapone  
Tolmetin Sodium Dihydrate  
Tolperisone  
Tolterodine  
Topiramate  
Torasemide  
Toremifene  
Totaquine

## PHARMACY AND POISONS ACT 1979

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Tramadol  
Trandolapril  
Tranexamic Acid  
Tranlycypromine Sulphate  
Travoprost  
Trazodone  
Tretamine  
Tretinoin  
Triacetyloleandomycin  
Triamcinolone  
Triamcinolone Acetonide  
Triamterene  
Triaziquone  
Triazolam  
Tribenoside  
Tribromoethyl Alcohol  
Trichloroethylene - for inhalational purposes  
Triclofos Sodium  
Tricyclamol Chloride  
Tridione preparations  
Trienbolone Acetate  
Trifluoperazine  
Trifluoperidol  
Triflupromazine  
Trifluridine  
Trihexphenidyl  
Triiodothyronine Injection  
Triiodothyropropionic Acid  
Trilostane  
Trimeperidine  
Trimeprazine  
Trimetaphan  
Trimetazidine  
Trimethadione  
Trimethoprim  
Trimipramine  
Trimustine  
Trioxsalen  
Trypsin

**PHARMACY AND POISONS ACT 1979**

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Trometamol	
Tropicamide	
Trospium	
Troxidone	
Tryptamine -	Tryptamine or ring-hydroxy tryptamine derivatives formed by substitution at the nitrogen atom of the sidechain with one or more alkyl substituents; their salts; their esters and ethers; their salts (None of these derivatives specified above is thought to be commercially available)
Tryptophan, L-	
Trypure	
Tubocurarine Chloride	
Tybamate	
Tylosin	
Tylosin Phosphate	
Tylosin Tartrate	
Tyrothricin	
Uramustine	
Umeclidinium	
Urea -	if for medicinal use
Urea Stibamine	
Uredofos	
Urethane	
Uridine-5-triphosphoric Acid	
Urokinase	
Ursodeoxycholic Acid	
Ustekinumab	
Vaccines -	all
Valacyclovir	
Valproic Acid	
Valsartan	
Vancomycin	
Vardenafil	
Varenicline	
Vedolizumab	
Velpatasvir	

**PHARMACY AND POISONS ACT 1979**

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Venlafaxine	
Verapamil	
Veratrine	
Vernakalant	
Vidarbine	
Vigabatrin	
Vilanterol	
Viloxazine	
Vinbarbitone	
Vinblastine	
Vincristine	
Vindesine	
Viomycin	
Virginiamycin	
Vitamin B12 -	with intrinsic Factor Concentrate
Vitamin D -	above 50,000 I.U. per dosage unit
Vitamin D	50,000 units and above
Voriconazole	
Vortioxetine	
Voxilaprevir	
Warfarin	
Xantinol Nicotinate	
Xipamide	
Xylazine	
Yohimbine	
Zafirlukast	
Zaleplon	
Zeranol	
Zidovudine	
Zimelidine	
Zipeprol	
Zinc Sulphate -	if for oral use with md greater than 200mg
Ziprasidone	
Zolmitriptan	
Zolpidem	
Zonisamide	
Zopiclone	

## PHARMACY AND POISONS ACT 1979

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1-Ethyl-3-piperidyl-alpha-cyclopentyl  
mandelate  
1-Methyl-4-phenylpiperidine-4-carboxylic  
acid  
2-Methyl-3-morpholino-1,1-  
diphenylpropane-Levomethorphan  
carboxylic acid  
4-Chloromethandienone  
4-Cyano-1-methyl-4-Isomethadone  
phenylpiperidine  
4-Cyano-2-dimethylamino-4,4-  
Hydromorphone diphenylbutane  
4-Phenylpiperidine-4-carboxylic acid ethyl  
ester  
5-FU, Fluorouracil  
6-MP, Mercaptopurine  
 $\alpha$ -Methylphenethylhydroxylamine

2 Any ester or ether or substance for the time being specified in paragraph 1.

3 Any salt of a substance for the time being specified in paragraph 1 or 2.

*[Third Schedule substituted by 1989 : 56 effective 15 January 1990; amended by BR 21 / 1992 effective 8 May 1992; amended by BR 42 / 1998 effective 15 May 1998; Third Schedule section reference amended by 2011 : 31 s. 5 effective 10 August 2011; Third Schedule para. 1 amended by BR 35 / 2013 reg. 2 effective 19 April 2013; amended by 2013 : 48 s. 26 effective 24 December 2013; amended by 2014 : 36 s. 2 effective 22 December 2014; Third Schedule repealed and replaced by BR 111 / 2017 para. 2 effective 24 November 2017; Third Schedule amended by BR 69 / 2019 para. 2 effective 7 June 2019]*

**PHARMACY AND POISONS ACT 1979**

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**FOURTH SCHEDULE**

(Sections 28(1); 28(2))

**PART I**

**DRUGS OBTAINABLE ONLY AT REGISTERED PHARMACIES**

Note: The following annotations used in this Schedule have the following meanings:

<b><i>md</i></b>	<b>(maximum dose)</b>	i.e. the maximum quantity of the substance contained in the amount of a medicinal product which is recommended to be taken or administered at any one time.
<b><i> added</i></b>	<b>(maximum daily dose)</b>	i.e. the maximum quantity of the substance that is contained in the amount of a medicinal product which is recommended to be taken or administered in any period of 24 hours.
<b><i>mg</i></b>	<b>milligram</b>	
<b><i>ms</i></b>	<b>(maximum strength)</b>	i.e. either or, if so specified, both of the following: (a) the maximum quantity of the substance by weight or volume that is contained in the dosage unit of a medicinal product; or (b) the maximum percentage of the substance contained in a medicinal product calculated in terms of w/w, w/v, v/w, or v/v, as appropriate.
<b><i>external use</i></b>		means for application to the skin, teeth, mucosa of the mouth, throat, nose, eye, ear, vagina or anal canal when a local action only is necessary and extensive systemic absorption is unlikely to occur. Note: the following are not regarded as for external use: throat sprays, throat pastilles, throat lozenges, throat tablets, nasal drops, nasal sprays, nasal inhalations or teething preparations.
<b><i>parenteral use</i></b>		means administration by breach of the skin or mucous membrane.

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1

Acetomenaphthone -	in preparations for external use and ms 0.2%
Acetylcholine -	in preparations for external use (ms 1.3% of the crude drug )
Aconite root -	in preparations for external use and ms 0.02%

## PHARMACY AND POISONS ACT 1979

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Aconitine -	Eye drops, neutral BP in preparations for external use
Acriflavine	
Adrenaline	
Albendazole	
Alkaline Eye Drops BP	
Allantoin	
Aloxiprin	
Aluminium acetate -	for medicinal use
Aluminium chloride -	alcoholic solutions
Aluminium oxide -	for human use
Alverine	
Ambucetamide	
Amethocaine -	in all other preparations for non-parenteral use
Aminacrine -	in preparations for non-parenteral use
Amylocaine	
Antazoline -	if for nasal or ophthalmic administration
Azatadine	
Bamethan	
Belladonna herb -	in preparations for external use, in preparations for internal use and mdd 1mg of the alkaloids
Belladonna root -	in preparations for external use, in preparations for internal use and mdd 1mg of the alkaloids
Benorylate	
Benzamine lactate	
Benzocaine -	if in preparations for non-parenteral use with ms more than 1%
Benzoyl peroxide -	in concentrations of 10% or less
Benzydamine preparations	
Benzyl Benzoate preparations	
Betaine	
Borax BP	
Boric Acid BP	
Bromelains	
Bromodiphenhydramine	
Brompheniramine	
Buclizine	
Buclosamide	



## PHARMACY AND POISONS ACT 1979

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Buphenine -	in preparations for internal use with md 6mg and mdd 18mg
Bupivacaine -	in preparations for non-parenteral use
Butacaine -	in preparations for non-parenteral use
Butanilcaine -	in preparations for non-parenteral use
Butethamide	
Butoxyethyl nicotinate	
Butylaminobenzoate -	for topical use only
Calcium	if for oral administration
Glucogalactogluconate -	
Calcium polystyrene sulphonate	
Calcium resonium	
Cantharidin -	in preparations for external use and ms 0.01%
Caramiphen -	in liquid preparations and ms 0.1% (calculated as base), in tablet preparation and ms 7.5mg (calculated as base)
Carbaryl preparations	
Carbenoxolone -	in gels and ms 2%, in pellets with md 5mg and mdd 25mg
Carbetapentane citrate	
Carbinoxamine	
Cetylpyridium chloride -	if for internal use
Charcoal -	if for internal use
Chloral hydrate -	in preparations for external use
Chlorcyclizine	
Chlordantoin	
Chlorhexidine -	if for administration into the nasal or oral cavities, for use specifically as a bath additive, if impregnated onto gauze dressing for direct application to a wound
Chlorpheniramine	
Chlorphenoxyethanol	
Chlorprenaline	
Chlorpyriline Citrate	
Chlorxylenol -	for application to the skin
Cholebrin tablets	
Choline magnesium trisalicylate	
Choline salicylate	
Chymotrypsin	

## PHARMACY AND POISONS ACT 1979

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Cinchocaine -	in preparations for non-parenteral use and ms 3% (calculated as base)
Cineole	
Cinnarizine	
Clioquinol -	in preparations for external use, in preparations for internal use for treatment of mouth ulcers with ms 35mg and mdd 250mg
Clotrimazole -	for topical use
Coal tar -	in preparations Conium leaf in preparations for external use and ms 7% of the crude drug
Creosote -	if for medicinal use
Crotamiton	
Cyclizine -	if in preparations 1% and less
Cyclomethacaine -	if for nasal administration
Cyclopentamine -	if for oral administration and maximum dose 15mg
Cyclopropane	
Cyteal	
Danthron	
Deanol -	in preparations for internal use and mdd 26 mg
Dequalinium -	chloride in external paint preparations and ms 1% in throat lozenges or throat pastilles and ms 0.25mg
Desloratadine	
Dexbrompheniramine	
Dexchlorpheniramine	
Dextromethorphan -	in preparations for internal use with md 15 mg (calculated as base) and mdd 75 mg (calculated as base)
Di-iodohydroxyquinoline, iodoquinol -	for topical use
Diabetic Diagnostic Reagents and Tests	
Diatrizoate sodium -	for non-parenteral use
Dibromopropamidine -	for ophthalmic use
Dichlorophen	
Diclofenac -	for topical use
Dicophane	
Dihydrotachysterol	
Dimenhydrinate	
Dimethindene	
Dimethisoquin -	in preparations for non-parenteral use
Dimethylaminoethanol tartrate	
Diocylsodium sulphosuccinate	

## PHARMACY AND POISONS ACT 1979

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Diphenhydramine	
Diphenylpyraline	
Dithranol preparation	
Docusate sodium	
Domiphen Bromide -	if for oral use
Doxylamine	
Embramine -	in preparations for internal or external use and ms 1%
Emetine	
Ephedrine -	in nasal sprays or nasal drops and ms 2%, in preparations for external use, in preparations for internal use (except nasal sprays or nasal drops) with md 30 mg and mdd 60 mg
Ethyl alcohol -	for medicinal use
Famotidine -	in preparations for internal use with ms 10 mg
Ferrous salts -	for internal use where the ferrous salt is the sole active ingredient
Fexofenadine	
Fluorescein	
Fluothane	
Flurbiprofen	oral lozenges
Folic Acid -	ms 1 mg
Frangula preparations	
Gamma Benzene hexachloride , Lindane	
Gelsemine -	in preparations for internal or external use and ms 0.1%
Gelsemium -	in preparations for internal use with md 25mg of the crude drug and mdd 75mg of the crude drug
Glutaraldehyde	
Glycopyrronium bromide -	in preparations for internal use with md 1 mg and mdd 2 mg
Grindelia liquid extract	
Guaiacol	
Guar gum	
Gynomin	
Heparin -	in preparations for external use
Heparinoid	
Hexachlorophane -	if in preparations for external use in: (a) soaps with ms more than 0.1% but not more than 2% (b) products other than soaps or aerosols with ms more than 0.1% but not more than 0.75%

## PHARMACY AND POISONS ACT 1979

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Hexamidine isethionate	
Histapyrrodine	
Histidine	if for use as an ingredient in dietary or nutritional products as an aminoacid
Homatropine hydrobromide -	if in preparations for internal use with md 0.2mg and mdd 0.6mg
Hydrargaphen -	in preparations for local application to the skin
Hydroquinone -	ms 2%
Hydroxymethylgramicidin -	if in throat lozenges or throat pastilles
Hyoscine, Scopolamine-	in preparations for external use, in preparations for internal use with ms 0.15%
Hyoscine hydrobromide -	in preparations for external use, in preparations for internal use with md 300 micrograms and mdd 900 micrograms
Hyoscine methobromide -	in preparations for external use, in preparations for internal use with md 2.5 mg and mdd 7.5 mg
Hypromellose -	for ophthalmic use
Ibuprofen -	for topical use and md 400mg orally
Inositol nicotinate	
Iocetamic acid -	if for oral administration
Iodinated glycerin	
Iodoquinol, Di-iodohydroxyquinoline -	for topical use
Ipecacuanha	
Isoconazole	for topical use
Isopropamide iodide -	in preparations for internal use with md 2.5 mg (as isopropamide ion) and mdd 5 mg (as isopropamide ion)
Isothipendyl	
Ispagula husk	
Itraconazole -	for topical use
Jaborandi -	in preparations for external use and ms more than 0.025% of the alkaloids in the medicinal product;
Kaolin Poultice BP	
Ketoprofen -	in oral preparations with ms 75mg, in preparations for external use
Lachesine Eye Drops BP	
Lactulose	
Lead Subacetate Solution, Dilute BP	

## PHARMACY AND POISONS ACT 1979

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Lead Subacetate Solution, Strong BP	
Lignocaine -	in preparations for external use and ms 4% in preparations for non-parenteral use
Lindane, Gamma Benzene Hexachloride	
Lobeline -	in preparations for external use, in preparations for internal use with md 3mg and mdd 9mg (calculated as base)
Loratadine -	in tablets with ms 10 mg in syrup with ms 5 mg/5 ml
Mafenide -	in eye drops and ms 5%
Magnesium citrate	
Malathion preparations	
Mebeverine -	if in preparations for internal use with md 100mg and mdd 300mg
Meclizine, Meclozine	
Meclozine, Meclizine	
Medicinal opium -	in liquid preparations with ms 0.02% (calculated as anhydrous morphine base) and md 3mg (calculated as anhydrous morphine base)
-	in solid preparations with ms 0.04% (calculated as anhydrous morphine base) and md 3mg (calculated as anhydrous morphine base)
Menadiol -	for internal use excluding parenteral route
Mepenzolate bromide -	in preparations for internal use with md 25mg and mdd 75mg
Mepivacaine -	in preparations for non-parenteral use
Mepyramine -	if for non-parenteral use Mercuric oxide if for human use
MetabutethamineB -	in preparations for non-parenteral use
Methapyrilene	
Methoxamine -	in nasal sprays or nasal drops not containing liquid paraffin as a vehicle and ms 0.25%
Methylephedrine -	in preparations for internal use with md 30mg and mdd 60mg
Methylhydroxybenzoate	
Miconazole -	for topical use
Minoxidil	topical use, ms 2%
Miristalkonium chloride	
Monosulfiram -	for external use
Naphazoline -	in nasal sprays or nasal drops not containing liquid paraffin as a vehicle and ms 0.05%
Naproxen Sodium -	ms 220mg

## PHARMACY AND POISONS ACT 1979

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Natuderm Cream	if in eye drops and ms 0.25%
Niclosamide	
Nicotinic Acid -	for internal use
Nicotinyl alcohol -	for internal use
Nizatidine -	in preparations for internal use with ms 75 mg
Orthocaine -	if in preparations for non-parenteral use
Oxolamine	
Oxybuprocaine -	if in preparations for non-parenteral use
Oxymetazoline	
Oxyphenonium bromide -	in preparations for internal use with md 5mg and mdd 15mg
Padimate	
Pancreatin	
Papaverine -	in preparations for internal use with md 50mg (calculated as base) and mdd 150mg (calculated as base)
Penthienate methobromide -	in preparations for internal use with md 5mg and mdd 15mg
Penthrane -	if in preparations for non-parenteral use
Permethrin	
Phenacaine	
Phenazone -	in preparations for external use
Phenindamine	
Pheniramine	
Phenol -	for all medicinal use
Phenolphthalein	
Phenylephrine -	if for internal use (excluding parenteral route) with md 20mg and mdd 40mg if for ophthalmic or nasal administration; with a maximum strength of 1%w/v
Phenyltoloxamine	
Pholcodine -	5mg/5ml Linctus BP
Phosphorylcolamine	
Phytomenadione, Phytonadione-	if for non-parenteral use in preparations for internal use with md 5mg and mdd 15mg
Pipenzolate bromide -	in preparations for internal use with md 5mg and mdd 15mg Piperazine
Piperazine	
Piperidolate -	if in preparations for internal use with md 50mg and mdd 150mg

## PHARMACY AND POISONS ACT 1979

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Podophyllum resin -	in preparations for external use and ms 20%
Poldine methylsulphate -	in preparations for internal use with md 2mg and mdd 6mg Polvinyl alcohol if for ophthalmic use
Polyethylene glycol -	for oral use
Polystyrene sulphonate resins -	for use as an enema
Ponoxylan	
Potassium arsenite -	if in preparations for internal or external use and ms 0.0127%
Potassium citrate preparations	
Potassium guaicol sulphonate	
Povidone iodine preparations -	all
Pramoxine	
Prilocaine -	if in preparations for non-parenteral use
Procaine -	if in preparations for non-parenteral use
Promethazine	
Propantheline bromide -	if in preparations for internal use with md 15 mg and mdd 45mg
Propamidine	
Proxamine	
Proxymetacaine -	if in preparations for non-parenteral use
Pseudoephedrine -	if in preparations for internal use with md 60mg and mdd 180mg
Pumilio pine oil	
Pyrantel	
Pyrrobutamine phosphate	
Quinine -	in preparations for internal use with md 100mg and mdd 300mg (calculated as base)
Racephedrine -	in nasal sprays or nasal drops and ms 2% in preparations for external use
Ranitidine -	ms 75mg
Resonium A -	in preparations for internal use (except nasal sprays or nasal drops) with md 30mg and mdd 60mg
Resorcinol preparations -	if for medicinal use
Retinol -	in preparations containing 10,000 units or less
Rose Bengal -	if for ophthalmic use
Salicylamide	
Salicylic Acid -	if for medicinal use
Scarlet Red Ointment	

## PHARMACY AND POISONS ACT 1979

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Scopolamine, Hyoscine -	in preparations for external use, in preparations for internal use with ms 0.15%
Selenium sulphide	
Sodium alkylsulphoacetate -	if for rectal administration
Sodium apolate -	if in preparations for external use
Sodium arsenite -	if in preparations for internal or external use and ms 0.013%
Sodium Cellulose phosphate -	if for internal use
Sodium cromoglycate -	if in preparations for use by being administered through the nose
Sodium fluoride -	in preparations for use in the prevention of dental caries, other than dentifrices, in the form of: tablets or drops and mdd 2.2mg; or mouth rinses other than those for daily use and ms 0.2%; or mouth rinses for daily use and ms 0.05%
Sodium ipodate capsules	
Sodium iron edetate	
Sodium Perborate -	in preparations for oral use
Sodium picosulphate	
Sodium pidolate	
Squalane	
Squill preparations -	for human use
Sterculia preparations	
Streptodornase -	if in preparations for external use
Streptokinase -	if in preparations for external use
Succinamide -	in products for decontaminating water
Terbinafine -	for external use only
Terpin hydrate -	if for medicinal use
Tetracaine	
Tetrahydrofurfuryl salicylate	
Tetrahydrozoline	
Thiabendazole	
Thimerosal, Thiomersal	when used as a skin antiseptic
Thiomersal, Thimerosal -	when used as a skin antiseptic
Tolazoline -	if in preparations for external use
Totaquine -	if in preparations for internal use with md 100mg and mdd 300mg
Tramazoline	
Tripelennamine	
Triprolidine	
Tripotassium dicitratobismuthate	



## PHARMACY AND POISONS ACT 1979

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Trypsin -	if for external use
Tryptophan, L- -	if used as an ingredient in dietary or nutritional products as an essential amino-acid; or in preparations for external use
Turpentine oil -	if for internal use
Tyrothricin -	if in throat lozenges or throat pastilles
Urea -	if for application to the skin
Urea hydrogen peroxide -	if for aural use
Vanillylnonamide	
Vipryinium	
Vitamin D -	1,000 - 49,999 IU per dosage unit
Xylometazoline	
Zinc Sulphate -	if for oral use
Zinc Sulphate and Adrenaline Eye Drops	
Zinc Sulphate Eye Drops BP	

- 2 Any ester or ether or substance for the time being specified in paragraph 1.
- 3 Any salt of a substance for the time being specified in paragraph 1 or 2.

### PART II

#### DRUGS OBTAINABLE ONLY FROM REGISTERED PHARMACISTS AT REGISTERED PHARMACIES

1

Acyclovir -	in preparations for topical use and ms 5%
Adrenaline, Epinephrine	
Ammonium Chloride and Morphine Mixture BP	
Astemizole	
Bacitracin -	for topical use
Chloramphenicol -	for ophthalmic use
Chloroform -	except for inhalational use
Clemestine	

## PHARMACY AND POISONS ACT 1979

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Clotrimazole -	if in preparations for external or vaginal use
Codeine -	for non-parenteral use and ms 8mg calculated as base
Cyproheptadine	
Diclofenac -	in topical preparations
Econazole -	in cream, powder or solution for external use if in preparations for external vaginal use
Enflurane -	except for inhalational use
Epinephrine, Adrenaline	
Esomeprazole -	ms 20mg
Ether -	except for inhalational use Ethyl alcohol for external use
Ethyl alcohol -	for external use
Ethylmorphine -	in undivided preparations with ms 0.2% (calculated as base) and with md 7.5mg (calculated as base); or in single dose preparations with ms per dosage unit 0.2% (calculated as base) and 7.5mg (calculated as base)
Fluconazole -	ms 150mg and mdd 150mg
Folic acid -	if in preparations for internal use and md 500 micrograms and mdd 1000 micrograms
Gramicidin -	in preparations for external use and ms 0.02% in topical preparations for auricular or local ophthalmic use
Haloprogin -	in preparations for external use Halothane except for inhalational use
Homatropine -	in preparations for external use, in preparations for internal use with md 0.15mg and mdd 0.45mg
Homatropine methylbromide -	in preparations for internal use with md 2mg and mdd 6mg
Hyaluronidase -	for external use
Hydrocortisone -	for external use and for ms 1%
Hydrogen cyanide -	in preparations for external use and ms 1%
Hyoscine butylbromide -	in preparations for internal or external use and ms 0.1%
	in preparations for external use
	in preparations for internal use (other than inhalers) with md 10mg

## PHARMACY AND POISONS ACT 1979

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Ibuprofen -	if for use in rheumatic and muscular pain, backache, neuralgia, migraine, headache, dental pain, dysmenorrhoea, feverishness, symptoms of colds and influenza and with md 400mg and mdd 1200mg
Injections -	except insulin products
Insulin -	all
Iodine, aqueous solution -	for internal use
Isoconazole -	if in preparations for external or vaginal use
Isoconazole preparations -	if for application to the skin (excluding mucous membranes)
Isoflurane -	except for inhalational use
Itraconazole -	if in preparations for external or vaginal use
Ketoconazole -	if in preparations for external or vaginal use
Ketoprofen -	in preparations for internal use with ms 75 mg
Lansoprazole	ms 15mg
Levamisole	
Levonorgestrel -	ms 1.5mg if for use as an emergency contraception
Loperamide	if for the treatment of acute diarrhoea
Mebendazole -	
Miconazole -	if in preparations for external or vaginal use
Minoxidil	for topical use ms 5%
Minoxidil -	in topical preparations with ms 2%
Morphine -	in liquid preparations with ms 0.02% (calculated as anhydrous morphine base) and md 3 mg (calculated as anhydrous morphine base) in solid preparations with ms 0.04% and 300 micrograms per dosage unit (calculated as anhydrous morphine base) with md 3mg (calculated as anhydrous morphine base)
Neomycin -	for topical use only
Nicotine -	if in oral preparations and md 2mg
-	in liquid form for inhalation via any electronic delivery system with ms 21mg
Nicotine -	in patches with ms 21 mg/24 hours
Nizatidine -	in capsules with ms 75 mg
Nitroglycerin, Glyceryl Trinitrate -	tablets and sublingual spray
Nystatin -	for topical use only
Omeprazole -	ms 10mg
Orlistat -	ms 60mg

## PHARMACY AND POISONS ACT 1979

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Phenazopyridine	
Phenylpropanolamine -	in controlled release capsules with md 75 mg and mdd 150mg
Polymyxin B sulphate	
Ranitidine -	ms 150mg
Ranitidine -	with ms 75 mg
Silver Nitrate -	in preparations for use on the skin
Sodium cromoglycate -	Eye drops and ms 2% Eye ointment and ms 4%
Syringes -	Insulin
Terconazole -	for vaginal use
Terfenadine	
Triamcinolone Acetonide -	nasal spray ms 55 mcg/spray
Trichloroethylene -	for other use

2 Any ester or ether or substance for the time being specified in paragraph 1.

3 Any salt of a substance for the time being specified in paragraph 1 or 2.

*[Fourth Schedule substituted by 1989:56 effective 15 January 1990; amended by BR 21/1992 effective 8 May 1992; amended by BR 42/1998 effective 15 May 1998; amended by 2013 : 48 s. 27 effective 24 December 2013; amended by BR 69 / 2016 effective 26 July 2016; Fourth Schedule repealed and replaced by BR 111 / 2017 para. 2 effective 24 November 2017; Fourth Schedule amended by BR 113 / 2017 para. 2 effective 1 December 2017; Fourth Schedule amended by BR 69 / 2019 para. 3 effective 7 June 2019; Fourth Schedule Part II amended by BR 48 / 2022 para. 2 effective 2 May 2022]*

**PHARMACY AND POISONS ACT 1979**

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**FIFTH SCHEDULE**

(Section 9)

**PHARMACY PROFESSION COMPLAINTS COMMITTEE**

- 1 The Committee shall consist of three members appointed by the Minister, as follows—
- (a) one from a list of at least three registered pharmacists in good standing who is nominated by the Association;
  - (b) one from a list of at least three registered pharmacists in good standing nominated by the Council;
  - (c) one professionally qualified person who is not a registered pharmacist.
- 2 A person who is a member of the Council may not be appointed as a member of the Committee.
- 3 Appointment as a member under paragraph 1 shall be for a term not exceeding three years and a member is eligible for reappointment.
- 4 The Minister may appoint a second person to act as alternate to a member appointed under paragraph 1.
- 5 An alternate member shall be appointed in accordance with the requirements for the appointment of the member, and his term of appointment shall, if not sooner terminated, end at the expiration of the term of the member.
- 6 There shall be a Chairman of the Committee who shall be appointed annually by the Minister from among the members of the Committee to hold office until 31 December of the year for which he was appointed, and who shall be eligible for reappointment as Chairman.
- 7 If at any time the Chairman ceases to be a member of the Committee, or for any other reason ceases to be the Chairman, the Minister shall, as soon as may be, appoint from among the members of the Committee another person to be Chairman in his stead.
- 8 Three members of the Committee shall form a quorum at any meeting.
- 9 (1) Where any complaint is before the Committee, a member of the Committee shall advise the Chairman if he is personally acquainted with the facts of the case and may, with leave of the Chairman, withdraw on that ground or for any other reason which the Chairperson deems sufficient; and the Chairman may himself withdraw on any such ground.
- (2) Where a member has so withdrawn, the Chairman may request the Minister to appoint a member of equal standing as the withdrawn member to be a member of the Committee for the purpose of those proceedings, and the Minister may make such appointment, whereupon the person so appointed shall be deemed to be a member of the Committee for such purpose.
- 10 Fees shall be paid to members of the Committee in accordance with the Government Authorities Fees Act 1971.

## **PHARMACY AND POISONS ACT 1979**

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11 The validity of any act or proceedings of the Committee shall not be affected by any vacancy among the members of the Committee or by any defect in the appointment of a member of the Committee or of the Chairperson.

12 The Committee shall, not later than such date as the Minister may determine after the end of each calendar year, submit a report on its activities for the preceding year to the Council.

13 Subject to this Act, the Committee shall regulate its own proceedings.

*[Fifth Schedule repealed and replaced by 2013 : 48 s. 28 effective 24 December 2013; Fifth Schedule amended by 2020 : 47 s. 114 effective 11 December 2020]*

**SIXTH SCHEDULE**

(Section 26B)

**PROHIBITION ORDERS, PROHIBITION NOTICES AND NOTICES TO WARN**

**PART I  
PROHIBITION ORDERS**

1 If the Minister proposes to make a prohibition order (“an order”), then, subject to paragraph 5, he shall before he makes the order—

- (a) publish, in such manner as he thinks fit a notice stating—
  - (i) that he proposes to make the order and, in such terms as he thinks fit, the proposed effect of the order; and
  - (ii) that any person may make representations in writing to the Minister about the proposed order before a date specified in the notice (which must be after the expiration of the period of 28 days beginning with the date of the first publication of the notice); and
- (b) consider any such representations made within that period.

2 The effect of an order must not be more restrictive, but may be less restrictive, than the proposed effect of it as stated in the notice.

3 Without prejudice to the power to make a further order and subject to paragraph 4, an order shall cease to have effect at the expiration of a period specified in the order which must not be longer than 12 months beginning with the date on which the order comes into force.

4 An order may revoke a previous order or may vary it otherwise than providing for it to be in force after expiration of 12 months beginning with the date of the coming into force of the previous order.

5 Paragraphs 1 and 2 shall not apply to an order if the order contains a statement that in the opinion of the Minister the risk of danger connected with the drug or drug product to which the order relates is such that the order must be made without delay.

**PART II  
PROHIBITION NOTICES**

*Preliminary*

6 In this Part—  
“notice” means a prohibition notice;

## PHARMACY AND POISONS ACT 1979

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“notification” means a notification in writing;

“the trader” in relation to a proposed notice or an actual notice means the person on whom the proposed notice is proposed to be served or on whom the actual notice has been served.

7 A notice must specify the date on which it comes into force.

### *General Procedure*

8 If the Minister proposes to serve a notice in respect of any drug or drug product, then, subject to paragraph 14, he shall before he serves the notice serve on the trader a notification—

- (a) stating that the Minister proposes to serve on him a notice in respect of the drug or drug product; and
- (b) specifying the drug or drug product in a manner sufficient to identify them and stating that, for the reasons set out in the notification, the Minister considers that the drug or drug products are not safe; and
- (c) stating that the trader may make representations, in writing or both in writing and orally, for the purpose of satisfying the Minister that the drug or drug product is safe but that if the trader intends to make such representations he must, before the expiration of the period of 14 days beginning with the day when the notification is served on him, inform the Minister of his intention indicating whether the representations are to be in writing only or both in writing and oral.

9 Subject to paragraph 14, the Minister shall not serve a notice on the trader in respect of any drug or drug product before the expiration of the period of 14 days beginning with the day on which the Minister served on him a notification in pursuance of paragraph 8 relating to the drug or drug products; and if within that period the trader informs the Minister as mentioned in paragraph 8(c), then—

- (a) the Minister shall not serve a notice on the trader in consequence of the notification before the expiration of the period of 28 days beginning with the day aforesaid; and
- (b) if during that period the trader makes to the Minister such written representations as are mentioned in paragraph 8(c) the Minister shall not serve a notice on the trader in consequence of the notification before the Minister has considered the report of a person appointed in pursuance of paragraph 10 in consequence of the representations.

10 Where, in consequence of the service on the trader of a notification in pursuance of paragraph 8, the trader informs the Minister as mentioned in paragraph 8(c) within the period so mentioned and makes to the Minister within that period or the fourteen days



## PHARMACY AND POISONS ACT 1979

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beginning with the end of that period such written representations as are so mentioned, the Minister shall—

- (a) appoint any person to consider the written representations; and
- (b) if the trader informed the Minister in pursuance of paragraph 8(c) that the representations would be both written and oral, inform the trader of the place and time (which must not be before the expiration of the fourteen days and of seven days beginning with the day when the information is given to the trader) at which the oral representations may be made to the person appointed;

and the trader or his representative may at that place and time make to the person appointed oral representations for the purpose of satisfying the Minister that the drug or drug product in question is safe and may call and examine witnesses in connection with the representations.

11 The person appointed in pursuance of paragraph 10 to consider written representations with respect to any drug or drug product shall, after considering the representations, any oral representations made in pursuance of that paragraph with respect to the drug or drug product and any statements made by witnesses in connection with the oral representations, make a report (including recommendations) to the Minister about the representations and the proposed notice.

12 If at any time after the Minister has served a notification on the trader in pursuance of paragraph 8 the Minister decides not to serve a notice on him in consequence of the notification, the Minister shall inform him of the decision; and after the Minister informs him of the decision the notification and anything done in consequence of it in pursuance of the preceding paragraphs shall be disregarded for the purposes of those paragraphs.

13 Where a notification is served on the trader in respect of any drug or drug product in pursuance of paragraph 8, a notice served on him in consequence of the notification may relate to some only of those the drug or drug product.

### *Special Procedure*

14 Paragraphs 8 to 13 do not apply to a notice which contains a statement that the Minister considers that the risk of danger connected with the drug or drug product to which the notice relates is such that the notice must come into force without delay; and references to a notice in paragraphs 15 to 18 are to a notice containing such a statement.

15 A notice in respect of any drug or drug product must—

- (a) state that, for the reasons set out in the notice, the Minister considers that the drug or drug product is not safe; and

## PHARMACY AND POISONS ACT 1979

---

- (b) state that the trader may, at such time as the trader thinks fit, make representations in writing to the Minister for the purpose of satisfying him that the drug or drug product is safe.

16 If representations in writing about a notice are made by the trader to the Minister, the Minister shall consider the representations and either revoke the notice and inform the trader that he has revoked it or—

- (a) appoint a person to consider the representations; and
- (b) serve on the trader a notification stating that he may make to the person appointed oral representations for the purpose mentioned in paragraph 15 and specifying the place and time (which, except with the agreement of the trader, must not be before the date of service of the notification) at which the oral representations may be made,

and the trader or his representative may at that place and time make to the person appointed oral representations and may call and examine witnesses in connection with the representations.

17 The person appointed in pursuance of paragraph 16 to consider written representations with respect to any drug or drug product shall, after considering the representations, any oral representations made in pursuance of that paragraph with respect to the goods and any statements made by witnesses in connection with the oral representations, make a report including recommendations to the Minister about the representations and the notice in question.

18 Where the Minister has appointed a person in pursuance of paragraph 16 to consider any representations relating to a notice then, without prejudice to the operation of paragraphs 19 and 20, paragraphs 16 and 17 shall not apply to any subsequent representations in writing about the notice.

### *Other Representations*

19 If at any time the trader on whom a notice has been served makes representations in writing to the Minister for the purpose of satisfying him that the drug or drug product to which the notice relates is safe and, by virtue of paragraph 18, paragraph 16 does not apply to the representations, the Minister shall consider the representations and serve on the trader, before the expiration of one month beginning with the day when the Minister receives the representations, a notification stating—

- (a) that the Minister will revoke the notice or vary it or declines to do so; or
- (b) that the Minister has appointed a person to consider the representations and that the trader may make to the person appointed, at a place specified in the notification and a time so specified (which, except with the agreement of the trader, must not be before the expiration of the period of twenty-one days beginning with the date of service of the notification), oral representations for the purpose,

## **PHARMACY AND POISONS ACT 1979**

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and the trader or his representative may at that place and time make to the person appointed oral representations and may call and examine witnesses in connection with the representations.

20 The person appointed in pursuance of paragraph 19 to consider written representations with respect to any drug or drug product shall, after considering the representations, any oral representations made in pursuance of that paragraph with respect to the drug or drug product and any statements made by witnesses in connection with the oral representations, make a report including recommendations to the Minister about the representations and the notice in question.

### *Miscellaneous*

21 The Minister may revoke or vary a notice by serving on the trader a notification stating that the notice is revoked or, as the case may be, is varied as specified in the notification; but the Minister shall not have power to vary a notice so as to make the effect of the notice more restrictive for the trader.

22 The Minister shall consider any report made to him in pursuance of paragraph 17 or 20 and, after considering the report, inform the trader of his decision with respect to the notice in question.

## **PART III**

### **NOTICES TO WARN**

23 If the Minister proposes to serve on a person a notice to warn in respect of any drug or drug product, the Minister shall, before he serves the notice, serve on the person a notification in writing—

- (a) containing a draft of the notice and stating that the Minister proposes to serve on the person such a notice in the form of the draft;
- (b) stating that, for the reasons set out in the notification, the Minister considers that the drug or drug product specified in the draft is not safe; and
- (c) stating that the person may make representations, in writing or both in writing and orally, for the purpose of satisfying the Minister that the drug or drug product is safe but that if the person intends to make such representations he must, before the expiration of the period of fourteen days beginning with the day when the notification is served on him, inform the Minister of his intentions indicating whether the representations are to be in writing only or both in writing and oral.

24 Paragraphs 9 to 13 and 21 shall with the necessary modifications have effect in relation to a notice to warn as they have effect in relation to a prohibition notice but as if—

## **PHARMACY AND POISONS ACT 1979**

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- (a) the reference to paragraph 14 in paragraph 9 were omitted;
- (b) for the references to paragraph 8 in paragraphs 9, 10, 12 and 13 there were substituted references to paragraph 23;
- (c) in paragraph 13 for the words from “relate” onwards there were substituted the words “be less onerous than the draft of the notice contained in the notification”; and
- (d) in paragraph 21 the words “or vary” and the words from “or, as” onwards were omitted.

*[Sixth Schedule inserted by 2013 : 48 s. 29 effective 24 December 2013]*

**PHARMACY AND POISONS ACT 1979**

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**SEVENTH SCHEDULE**

(section 14A)

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**FEEs**

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(1)	Applying for registration as a pharmacist under section 7	\$245
(2)	Applying for re-registration as a pharmacist under section 7	\$165
(3)	Fee for late re-registration as a pharmacist under section 7	\$65
(4)	Applying to re-register as a non-practising pharmacist under section 7A(1)	\$50
(5)	Applying to re-register for a change of status from non-practising pharmacist to practising pharmacist within 1 year registration cycle	\$115
(6)	Requesting a certificate of professional standing regarding a pharmacist	\$25
(7)	Requesting a duplicate copy of registration certificate after issuance	\$25

*[Seventh Schedule inserted by 2020 : 47 s. 115 effective 11 December 2020]*

[Assent Date: 23 July 1979]

[This Act was brought into operation on 1 January 1980]

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*[Amended by:*

BR 62 / 1980  
BR 63 / 1980  
BR 64 / 1980  
BR 16 / 1984  
BR 17 / 1984  
1984 : 46  
1989 : 56  
BR 21 / 1992  
BR 42 / 1998  
2008 : 20  
2011 : 31  
BR 35 / 2013  
2013 : 48  
2014 : 36  
BR 69 / 2016  
BR 111 / 2017  
BR 113 / 2017  
2018 : 58  
2018 : 66

**PHARMACY AND POISONS ACT 1979**

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BR 69 / 2019  
2020 4  
2020 47  
2021 15  
2022 3  
BR 48 / 2022]