
CHAPTER 229**PENICILLIN****ARRANGEMENT OF SECTIONS**

SECTION

1. Short title.
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3. Substances to which this Act applies.
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CHAPTER 229

PENICILLIN

An Act to control the sale and supply of penicillin and certain other substances. 7 *cf* 1948
5 *cf* 1987

[Commencement 17th August, 1948]

1. This Act may be cited as the Penicillin Act. Short title
2. In this Act, unless the context otherwise requires — Interpretation
 - “penicillin” has the meaning assigned to it by regulations for the time being in force under the Therapeutic Substances Act 1925 of the Parliament of the United Kingdom; 15 & 16 Geo 5
c 60
 - “pharmacist” has the meaning assigned to it by the Pharmacy Act. Ch 227
 - “registered dentist” means a person whose name appears on the Dentists' Register;
 - “registered medical practitioner” means a medical practitioner as defined in the Medical Act, and registered under that Act; Ch 224
 - “sale by way of wholesale dealing” means a sale to a person who buys for the purpose of selling again.
3. The substances to which this Act applies are penicillin and such other anti-microbial organic substances produced by living organisms as may be prescribed by regulations made under the Penicillin Act 1947 of the Parliament of the United Kingdom. Substances to which this Act applies
10 & 11 Geo 6
c 29
4. (1) Subject to the provisions of this section, no person shall sell or otherwise supply any substance to which this Act applies or any preparation of which any such substance is an ingredient or part unless — Control of sale and supply of substances to which this Act applies
 - (a) he is a registered medical practitioner or a registered dentist or a person acting in accordance with the directions of any such practitioner or dentist, and the substance or preparation is sold or supplied for the purposes of treatment by or in accordance with the directions of that practitioner or dentist; or

(b) he is a registered pharmacist and the substance or preparation is sold or supplied under the authority of a prescription signed and dated by any such practitioner or dentist as aforesaid.

(2) No person shall administer by way of treatment any such substance or preparation unless he is such a practitioner or dentist as aforesaid or is acting in accordance with the directions of such a practitioner or dentist.

(3) Subsection (1) of this section shall not apply to the sale or supply of any such substance or preparation —

- (a) by way of wholesale dealing;
- (b) for the purpose of being exported;
- (c) to any such practitioner or dentist as aforesaid;
- (d) to any authority or person carrying on a hospital, clinic, nursing home or other institution providing medical, surgical, dental or veterinary treatment;
- (e) to any person carrying on an institution or business which has among its recognised activities the conduct of scientific education or research, for use by persons engaged in that education or research; or
- (f) to any Government department.

(4) A prescription signed by any such practitioner or dentist authorising the sale or supply of any such substance or preparation shall not, subject as hereinafter provided, be dispensed on more than one occasion or more than three months after the date on which it was signed:

Provided that, if the prescription expressly directs that it may be dispensed on a specified number of occasions or at specified intervals in a specified period, it may be dispensed in accordance with that direction.

5. (1) Any person who contravenes any provision of section 4 of this Act shall be guilty of an offence under this Act and shall be liable, on summary conviction, to a fine not exceeding five hundred dollars, or in the case of a second or subsequent conviction, to such a fine or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

Offences and
penalties

5 cf 1987, Sch

(2) Where an offence under this Act has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.