

PHARMACY COUNCIL ACT, 2014

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Pharmacy Council Act, 2014



THE GAMBIA

NO. 15 OF 2014

Assented to by The President,

this 26th day of December, 2014

L S

YAHYA A. J. J. JAMMEH
President

AN ACT to promote and protect the health and safety of the general public through safeguarding, maintaining and enforcing the highest standards in the practice of pharmacy, and for connected matters.

[26th December, 2014]

ENACTED by the President and the National Assembly.

PART I – PRELIMINARY

1.Short title

This Act may be cited as the Pharmacy Act, 2014.

2. Interpretation

In this Act, unless the context otherwise requires-

“accident” means something unpleasant or damaging that happens unexpectedly or by chance;

“approved prescriber” means a person authorised by law or by the Minister and required by the relevant bodies to supply medicine;

“article” includes products regulated under this Act,

“authorised officer” means a person authorised in writing by the Council to perform functions under this Act;

“Council” means the Pharmacy Council established under section 3 (1) of this Act;

“court” means a court of competent jurisdiction;

“export” means to take out or cause to be taken out of The Gambia to a foreign country;

“import” means to bring in or cause to be brought into The Gambia from a foreign country;

“insanitary conditions” means the conditions or circumstances which might contaminate a product regulated under this Act with dirt or filth or might render the article injurious or dangerous to health;

"Inspector" means a person authorised to carry out inspections under this Act;

"medicines and related products" includes a substances or mixture of substances prepared, sold or represented for use –

- (a) in the diagnosis, treatment, mitigation or prevention of disease, disorder of abnormal physical state or the symptoms of it, in man or animal,
- (b) in restoring, correcting or modifying organic functions in man or animal,
- (c) nutritional supplements, or
- (d) herbal medicines;

"Minister" means the Minister responsible for Health; and
"Ministry" shall be construed accordingly;

"over-the-counter medicine" means drugs that can be bought or supplied without a prescription or without the supervision of a Pharmacist;

"pharmaceutical care" means the situation where the practitioner takes responsibility and is accountable for the medicine related needs of a patient or client;

"pharmacy only medicine" means a restricted medicine classified as such by the Agency other than "prescription only" or "over-the-counter medicines" which may be sold or supplied by or under the supervision of a registered pharmacist;

"pharmacy practice" is the scope of service pertaining to pharmacists in an approved premises and pharmacy support personnel and the conditions under which those services may be provided;

"pharmacy support personnel" includes pharmacy technicians, dispensing assistants or operators of drug outlets;

"practitioner" means a registered pharmacist, pharmacy support personnel or operators of drug outlets;

"premises" includes pharmacy premises or other facility authorised for practitioners under this Act;

"prescription only medicine" means a restricted medicine classified as such by the Agency which shall only be sold or supplied in accordance with a valid prescription given by a medical practitioner, dentist, veterinary practitioner or any person authorised by the Agency;

"professional" means the person responsible for supervising the dispensing, preparation, sale or supply of medicines and related products in approved pharmacy premises;

"registered pharmacist" means a person holding a current certificate of registration issued under this Act, whose registration has not been suspended or cancelled;

"Regulations" means Regulations made under this Act;

"restricted" medicines" means scheduled medicines prescribed by Regulations;

"retail" means professional services that include the supply or sale of medicines or related products to a patient or final consumer for personal non-business use from premises by the holder of a retail license issued under this Part;

"retail pharmacy" means the supply of medicines to a patient from a registered premises holding a retail license;

"selling" includes offering for sale, exposing for sale and having in possession for sale or distribution;

"substance" means a natural or artificial substance whether in solid or liquid form or in the form of a gas, vapour or radiation;

"superintendent pharmacist" means a registered pharmacist with requisite experience and qualification approved by the Council;

"supply outlet" means premises licensed under this Act where medicines are supplied;

"unfit product" means a product regulated under this Act which violates a provision of this Act;

"wholesale pharmacy business" includes a professional practice or any related activity carried or by a holder of a wholesale license that involves the sale or supply of restricted medicines to another authorised person or company to sell or supply, administer or cause to be administered on human beings or animals;

PART II – ESTABLISHMENT, COMPOSITION AND FUNCTIONS OF THE PHARMACY COUNCIL

3. Establishment of the Pharmacy Council

- (1) There is established by this Act, a Pharmacy Council.
- (2) The Council shall be responsible for regulation of the practice of pharmacy.
- (3) The Council shall have a Secretariat and a Registrar.
- (4) The seal of the Council shall be authenticated by the signature of the Registrar or in his absence any person acting on his behalf authorised by him.

4. Composition of the Council

The Council shall consist of -

- (a) a Chairperson who is a registered pharmacist of not less than ten years post registration experience in medicine who shall be appointed by the Minister;
- (b) the Registrar of the Pharmacy Council who shall be a registered pharmacist as the Secretary;
- (c) the President of the Pharmaceutical Society of The Gambia;
- (d) the Director of Pharmaceutical Services of the Ministry;
- (e) the Head of the Public Pharmacy Training School;
- (f) a Representative of the Gambia Competition and Consumer Protection Commission;
- (g) a legal practitioner from the Attorney General's Chambers not below the rank of Senior State Counsel; and
- (h) a pharmacist nominated by the Pharmaceutical Society of The Gambia.

5. Committees of the Pharmacy Council

(1) The Council shall establish -

- (a) a disciplinary committee; and
- (b) an examination and standards committee.

(2) The Council may also establish such number of committees as deemed necessary for its effective functioning.

6. Functions of the Pharmacy Council

The Council shall be the regulatory body for the practice of pharmacy, and shall in particular -

- (a) determine the standard of knowledge and skill to be attained by persons seeking to become members of the pharmacy profession and pharmacy support personnel and reviewing those standards from time to time;
- (b) evaluate and monitor the standards of courses and training for registered persons;
- (c) issue practicing certificates to persons and to cancel or suspend such certificates in terms of this Act;
- (d) prescribe and enforce practice standards, conduct and discipline among registered persons;
- (e) promote the highest standards of pharmacy practice;
- (f) maintain registers prescribed under this Act relating to pharmacy practice;
- (g) promote, monitor and ensure successful implementation of the provisions of this Act relating to pharmacy practice;
- (h) attend to and where possible, take disciplinary measures on complaints made by consumers;
- (i) carry out such other functions as may be conferred upon the Council by any written law or as are incidental to the performance of its functions under this Act;

- (j) establish standards and provide guidelines for continuing professional development and training of registered Pharmacists and pharmacy support personnel;
- (k) register and maintain registers for pharmacists and pharmacy support personnel;
- (l) advise the Minister on pharmacy practice and measures to protect the health and safety of consumers and the general public;
- (m) encourage cooperation between the Council and other sister councils;
- (n) advise the Minister on developing effective regulations for the implementation of the Act; and
- (o) do such acts or take such measures as are, in the opinion of the Council, necessary or expedient for the prevention of health hazards to consumers which may result from the practice of pharmacy as regulated under this Act.

7. Registrar of the Pharmacy Council

- (1) The Council shall appoint a Registrar for the Council.
- (2) The Registrar shall be a registered pharmacist with at least ten years post registration experience, including medicines regulation.
- (3) The Registrar shall hold office on the terms and conditions specified in the letter of appointment.

8. Functions of Registrar

- (1) The Registrar is responsible for-
 - (a) the day-to-day administration of the affairs of the Council;
 - (b) the registration of pharmacists, pharmacy technicians, dispensing assistants and operators of drug outlets;
 - (c) the proper management of the funds, property and business of the Council; and

- (d) the personnel management and development, organization, control and discipline of the employees of the Council.
- (2) The Registrar is answerable to the Council in the performance of his or her functions and shall perform any other functions determined by the Council.
- (3) The Registrar shall be the Council's Accounting officer with such financial responsibilities as may be provided for under the relevant Act.
- (4) The Registrar may delegate a function to an officer of the Council but shall not be relieved from the ultimate responsibility for the performance of the delegated function.

PART III – REGISTRATION

9. Registration of pharmacists and pharmacy support personnel

- (1) A person shall not practice as a pharmacist or pharmacy support personnel unless he or she is registered in accordance with this Act.
- (2) A person seeking registration shall apply to the Registrar in the manner determined by the Council.
- (3) The registration is valid for the period determined by the Council.

10. Register of pharmacists and pharmacy support personnel

- (1) The Registrar shall record in the register of pharmacists, the name of a person registered to practice as a pharmacist and shall maintain a temporary register of pharmacists in accordance with section 16.
- (2) The Registrar shall also register and maintain separate registers for-
 - (a) pharmacy interns;
 - (b) pharmacy technicians;
 - (c) dispensing assistants ; and
 - (d) pharmaceutical companies which wholesale, distribute retail or dispense medicines.

(3) The form and nature of the registers shall be determined by the Council.

11. Qualification for registration

(1) A person shall not be registered to practice as a pharmacist in The Gambia unless he or she-

- (a) holds a degree in pharmacy from an accredited training institution recognised by the Council;
- (b) provides evidence of completion of an internship programme undertaken in an accredited national training institution recognised by the Council after academic training;
- (c) has passed the professional qualifying examination; and
- (d) satisfies any other requirements of this Part as may be determined by the Council.

(2) A person who has obtained a higher degree or additional qualification is entitled to have the higher degree or additional qualification inserted in the register in addition to the qualification previously registered.

(3) A person shall not be registered to practice as a pharmacy support personnel unless he or she fulfils the requirements determined by the Council

(4) A person registered by the Council shall pay the prescribed fee.

12. Registration of a person trained abroad

(1) A Gambian national trained abroad may be registered as a pharmacist if he or she-

- (a) has satisfied the requirements in section 11;
- (b) has a good working knowledge of the English language; and
- (c) has proof of a qualification which entitles him or her to practice in his or her country of training.

(2) A non-Gambian national trained abroad may be registered as a pharmacist to practice in the public sector if -

- (a) he or she has satisfied the requirements in sections 11 and 12;
- (b) he or she has a proven record of not less than ten years practice as a registered pharmacist;
- (c) he or she has satisfied all other statutory requirements to work in The Gambia; and
- (d) there exists a reciprocal agreement of registration to practice pharmacy between the foreign national's country of origin and The Gambia.

(3) The Council may determine an area of practice for a foreign national based on the country's human resource requirements.

(4) This section shall apply to pharmacy support personnel who have a foreign nationality or qualification.

13. Annual list of pharmacists and pharmacy support personnel

The Registrar shall publish the list of registered pharmacists and pharmacy support personnel annually in the *Gazette*.

14. Supervision of a pharmacy

(1) A person shall not operate or permit another person to operate premises described as a "pharmacy", "chemist", or any similar description unless it is licensed and supervised by a pharmacist registered to practice in The Gambia.

(2) A person who carries on business or practices as a pharmacist in contravention of this section commits an offence and is liable on conviction to a fine not exceeding five hundred thousand dalasis or to imprisonment for a term not exceeding five years or to both the fine and imprisonment.

15. Temporary registration

(1) The Council may in the public interest, provide for temporary registration where a pharmacist holds a valid foreign pharmacy license recognised by the Council.

(2) A temporary registration is valid for three months and may be renewed twice only.

(3) A holder of a temporary registration who contravenes sub-section (2) commits an offence and the holder's name shall be removed from the temporary register when found culpable.

16. Removal of names from register

(1) The Registrar shall on the directive of the Council remove from the register, the name of a person-

- (a) who is dead; and
- (b) whose registration has been cancelled after a disciplinary enquiry.

(2) The name of a person may be restored to the register by the Registrar as directed by the Council.

17. Suspension of registration

(1) The Council may suspend the registration of a registered pharmacist or pharmacy support personnel after a disciplinary enquiry where-

- (a) an offence in relation to the pharmacist or pharmacy support personnel is being investigated;
- (b) allegations of misconduct have been established against the pharmacist or pharmacy support personnel;
- (c) a false declaration has been made in an application for registration by the pharmacist or pharmacy support personnel; or
- (d) the pharmacist or pharmacy support personnel has contravened a provision of this Part.

(2) A registration shall not be suspended unless the Council has given the pharmacist or pharmacy support personnel at least thirty days' notice of its intention to suspend the registration and has provided the pharmacist or pharmacy support personnel an opportunity to make a representation to the Council.

18. Cancellation of registration

(1) The Council may cancel the registration of a pharmacist or the pharmacy support personnel after a disciplinary enquiry conducted by the Council confirms that he or she -

- (a) is convicted of an offence under this Act or the Regulations;
- (b) has lost the qualification on the basis of which the registration was made;

(c) is convicted or sentenced to a term of imprisonment for a criminal offence in relation to pharmacy or medicines in any other enactment ; or

(d) fails to comply with a penalty imposed by the Council.

(2) A registration shall not be cancelled unless the Council has given the pharmacist or pharmacy support personnel at least thirty days' notice of its intention to cancel the registration.

19. Disciplinary Committee of the Council

(1) There is established by this Act, a disciplinary committee of the Council which shall consist of -

(a) the legal practitioner member of the Council as the Chairperson;

(b) the President of the Pharmaceutical Society of The Gambia;

(c) the Director of Pharmaceutical Services;

(d) the head of the public pharmacy training institution; and

(e) a pharmacist elected by the Council from among its members.

(2) A member of the disciplinary committee who has any interest or likelihood of bias in a disciplinary hearing shall inform the Registrar and recuse himself or herself from that hearing.

(3) The Disciplinary Committee shall enquire into such matters relating to professional conduct and standards of pharmacists as may be referred to it by the Council.

(4) The procedure of the Disciplinary Committee and penalties that it may recommend to the Council shall be prescribed by regulations.

(5) The Council shall constitute sub-committees comprising of not less than three and not more than five members for disciplinary matters in relation to pharmacy support personnel.

20. Appeal

A person dissatisfied with a decision of the Council in any disciplinary matter may appeal to the Minister of Health.

PART IV – Premises

21. Licensing of premises

(1) A person shall not supply, sell, and dispense medicines from any premises unless the premises are licensed in accordance with this Act.

(2) A person who seeks to license premises for supply, sale, dispensing of medicines shall apply to the Registrar in the manner determined by the Council.

(3) The Agency may revoke a license if it is satisfied that the physical conditions of the premises have ceased to be suitable for the supply of medicines.

(4) A person who supplies, sells, dispenses, medicines from licensed premises shall notify the Pharmacy Council of material alterations in the structure of the premises within six months of the alteration.

(5) The licence for premises may be general or limited and is valid for the period determined by the Council.

(6) A pharmacy licence shall be issued to pharmacies for the supply of all classes of medicines including "prescription only medicines", "pharmacy medicines" and "over-the-counter medicines".

(7) A Drug store license shall be issued to a person registered by the Pharmacy Council.

(8) A veterinary medicine store license shall be issued to a registered veterinary practitioner to operate a veterinary drug store outlet for the supply of veterinary medicines.

(9) A person who carries on business or practices as a pharmacist in contravention of this section commits an offence and is liable on conviction to a fine of not exceeding five hundred thousand dalasis or to imprisonment not exceeding five years or to both the fine and imprisonment.

22. Drug store outlets

(1) The Council may grant a license to an individual applicant who is registered by the Pharmacy Council to operate a drug store in a community that -

(a) is needy or deprived of a pharmaceutical service; or

- (b) not served by a pharmacy facility for sale or supply or dispensing of medicines within a specified distance by the Council.

(2) All drug store license holders before the enactment of this Act shall undergo a specified course as determined by the Pharmacy Council for the continued renewal of their licenses

(3) The Council may revoke the license granted to a drug store license holder who is in breach of a provision of this Act or regulations or if a condition specified in the license has ceased to exist.

(4) Council may impose a penalty not exceeding ten thousand dalasi or revoke a license or both where drug store license holder is in default of this Act.

23. Licensing of corporate bodies

(1) The Council may grant a license to a body corporate or a government institution if it is satisfied that the applicant on or after the coming into effect of this Act -

- (a) is fit to carry on the business of mixing, compounding, preparing, supplying, dispensing of medicines by wholesale and retail, and
- (b) the applicant's business of mixing, compounding, preparing, supplying, dispensing of medicines by wholesale and retail is carried under the supervision of a registered Gambian pharmacist.

(2) Council may revoke the license granted under sub-section (1) where a condition specified in the license has not been complied with.

PART V – SUPPLY OF RESTRICTED MEDICINES

24. License for wholesale supply of restricted medicines

(1) A person shall not carry on the business of wholesale supply of restricted medicines unless he or she has a license for the wholesale supply of such medicines.

(2) The Council may grant a license for the wholesale supply of restricted medicines subject to conditions which may prohibit or limit the supply of medicines of a particular description.

(3) A wholesale pharmacy business shall be licensed and supervised by a registered Gambian pharmacist.

(4) The name and certificate of registration shall be conspicuously exhibited in the business premises of the holder.

(5) The Council may revoke the license granted for wholesale supply of medicines if the license holder has contravened a provision of this Act or a condition specified in the license has ceased to exist.

25. Action to be taken after supply of restricted medicines

Where any medicine is supplied under a valid prescription, the supplier of the medicine shall-

- (a) enter on the valid prescription in indelible writing, the date on which the medicine is supplied and the name and address of the receiver and the prescriber; and
- (b) if the medicine is fully dispensed, the valid prescription or copy shall be retained for two years on the premises at which the medicine is dispensed so that the prescription is readily available for inspection.

26. Restriction on sale and supply of restricted medicines

A person shall not sell or supply prescription only medicine unless-

- (a) under a valid prescription;
- (b) the medicine is in a container of the prescribed description; and
- (c) the container bears a label indicating the prescribed particulars of its contents.

27. Medicines Record Book

(1) A person who supplies medicines shall keep on the premises from where medicines are supplied, a Medicine Record Book of the prescribed description.

(2) Before a person supplies a medicine, he or she shall record in the Medicine Record Book-

- (a) the name and quantity of the medicine to be supplied;
- (b) the name, the address and signature or thumbprint of the person to whom it is supplied;
- (c) the name and address of prescriber;
- (d) date of prescription;
- (e) the signature of the person who supplied the medicines; and

(f) the date of supply.

(3) Where a medicine is supplied under a valid prescription which is retained by the supplier of the medicines and an entry is made in the Medicine Record Book enabling the prescription to be referred to, an entry need not be made in the Medicine Record Book of the particulars specified in the valid prescription.

(4) This section shall not apply to transactions which are recorded electronically.

28. Prescription and supply of restricted medicines

A pharmacist or licensed company shall not sell or supply prescription only medicine except under a valid prescription issued by a medical practitioner, a dentist or a veterinary practitioner or any person authorized or approved by the Agency.

29. Restriction on the preparation and supply of restricted medicines

(1) A person shall not mix, compound, prepare or supply a medicine unless he or she is a registered pharmacist or pharmacy support personnel, or is a licensed manufacturing company.

(2) Sub-section (1) does not apply to-

- (a) the administration of medicines by a medical practitioner, dentist or veterinary practitioner to a patient in urgent need of treatment where the exigency demands;
- (b) other health practitioners who may supply a limited range of medicines determined by the Agency;
- (c) the administration by a qualified nurse of medicine in accordance with directions given by a medical practitioner to an out-patient or in-patient attending a medical treatment centre as approved by the Agency;
- (d) the supply of limited list of medicines approved by the Agency by drug store outlets;
- (e) the mixing, supplying, compounding or preparing of a medicine under the supervision of a pharmacist by a pharmacy technician, student or a trainee undergoing instructions at an institution approved by the Agency; and
- (f) programmes of the Agency aimed at enhancing access to pharmaceutical services.

30. Medical aid

(1) Notwithstanding the provisions of the Medical and Dental Practitioners Act, a pharmacist may give medical and dental advice or aid-

- (a) as first aid where there is an accident; or
- (b) as first aid treatment for simple ailments of common occurrence where it is not reasonably practicable for the patient to consult a medical practitioner or dentist.

(2) The pharmacist shall, in the case of an emergency, immediately or within twenty four hours after administering the initial dosage, refer the patient to a medical practitioner or a dentist and in the referral the pharmacist shall state the medicines used and the extent of the treatment given.

31. Possession of restricted medicines

A person shall not possess or be in control of restricted medicine or related product except in accordance with this Act.

32. Meaning of valid prescription

(1) For purposes of this Act, a prescription is valid only if it is for the sale or supply of medicine and-

- (a) is in indelible writing, signed and dated by a medical practitioner, dentist or veterinary surgeon, or approved prescriber;
- (b) states the name, qualification and address of the person signing it;
- (c) states the name and address of the person for whom the treatment is given or the name of the person to whom the medicine is to be delivered if for veterinary purposes;
- (d) indicates the total amount of the medicine to be supplied the dose, frequency and duration of the medicine to be taken except in the case of ointment; and
- (e) has not previously been fully dispensed.

(2) A valid prescription signed by-

- (a) a dentist shall bear the words "for dental treatment only"; and

- (b) a veterinary surgeon shall bear the words "for animal treatment only".

PART VI – FINANCIAL PROVISIONS

33. Funds of the Council

- (1) The operations of the Council shall be financed from-
 - (a) appropriations by National Assembly;
 - (b) internally generated revenue;
 - (c) donations, grants and gifts; and
 - (d) any other moneys that are approved by the Minister responsible for Finance.
- (2) The Council shall retain a percentage of internally generated revenue realised in the performance of its functions, as specified in writing by the Minister responsible for Finance in consultation with the Minister responsible for Health and Social Welfare.

34. Exemption from taxation

Notwithstanding any other written law, no stamp duty or any tax shall be chargeable on receipts, contract instruments or other documents given or executed by the Council or on behalf of the Council or by any person in respect of any function done or performed under this Act.

35. Accounts and audit

- (1) The Council shall keep books of account and proper records in relation to its operations in the form approved by the Auditor General.
- (2) The Council shall submit the accounts of the Council to the Auditor General for audit within one month after the end of the financial year.
- (3) The Auditor General shall after the receipt of the accounts, audit the accounts and forward a copy of the audit report to the Minister.

36. Annual report and other reports

- (1) The Council shall within one month after the receipt of the audit report, submit an annual report to the Minister covering the activities

and the operations of the Council for the year to which the report relates.

(2) The annual report shall include the report of the Auditor-General.

(3) The Minister shall within three months after the end of the financial year, cause the report to be submitted to the National Assembly.

(4) The Council shall also submit to the Minister any other reports which the Minister may require in writing.

PART VII – MISCELLANEOUS PROVISIONS

37. Entry of premises for inspection

A person authorised by the Council may enter premises in which medicines are sold, supplied or dispensed at any reasonable time-

- (a) to inspect the registration of a pharmacist, pharmacy support personnel or the licence of premises; and
- (b) if he or she has reasonable cause to believe that an offence with respect to this Act has been, is about to be or is being committed on the premises.

38. Investigation by Inspector

(1) An Inspector may-

- (a) require a person on the premises to furnish information in the person's possession concerning the activities carried on the premises and the people who carry out the activities;
- (b) inspect the premises and articles found on the premises; and
- (c) take away medicines found on the premises.

(2) The Inspector shall tender reasonable payment for a medicine taken away under this section.

(3) Notwithstanding sub-section (2), payment shall not be tendered for medicine if the Inspector reasonably suspects that the medicine is unfit for its purpose due to deterioration, impurity, adulteration or other defect.

(4) If the medicine is found to be fit, reasonable payment shall be tendered by the Inspector for the portion of the medicine that is not returned to its owner in good condition.

(5) Payment shall not be tendered for a medicine if the Inspector anticipates that proceedings for an offence under this Act may be brought in respect of the medicine.

(6) The Inspector shall tender reasonable payment for the portion of the medicines that have not been returned to the owner in good condition where proceedings are not commenced within six months.

(7) Where medicines are taken under this section, an inventory of the medicines or articles shall be made and shall be signed by a responsible officer in the facility and the Inspector and a copy of the inventory shall be given to the pharmacist or the pharmacy support personnel.

(8) The Inspector shall seize the medicines and devices that constitute an imminent danger to public health or welfare.

(9) An Inspector exercising any power conferred by this Act shall produce on demand a duly authenticated document which shows that the inspector has the Council to exercise the power.

39. Power of closure

(1) An Inspector may close premises that manufactures, sells or supplies medicines where there are grounds to believe that a health hazard may exist on the premises or where the premises are unlicensed.

(2) The closure of the premises shall be made with the assistance of the police but where this is not possible, the closure shall be reported to the police within twenty four hours after the closure.

(3) The order in respect of the health hazard may have conditions attached as determined by the Council.

40. Offences

(1) A person who-

- (a) makes a false declaration in an application for registration as a pharmacist, pharmaceutical company or pharmacy support personnel;
- (b) uses a name, title or addition falsely implying a qualification to practice as a pharmacist;

- (c) without being registered under this Act-
 - (i) practices or professes to practice as a pharmacist, or
 - (ii) makes a false claim to be qualified to practice as a pharmacist or as a pharmacy support personnel under this Act;
- (d) destroys or damages a register kept under this Act;
- (e) supplies medicines from a promotional or marketing office without the supervision of a registered pharmacist;
- (f) obstructs a person authorised by the Council from exercising lawful authority;
- (g) peddles medicines as an itinerant supplier;
- (h) supplies or sells restricted medicines from unauthorised premises.

commits an offence and is liable on conviction to a fine not exceeding five hundred thousand dalasi or to imprisonment not exceeding five years or both; and in the case of a continuing offence to a further fine of one thousand dalasi for each day during which the offence continues after written notice has been served on the offender by the Council.

(2) A person shall not be convicted of an offence if it is proved that the offence was committed without personal knowledge or consent of that person or that steps were taken to prevent the commission of the offence.

41. Regulations

The Minister may on the recommendation of the Council make Regulations to-

- (a) prescribe the conditions for registration of pharmacists and pharmacy support personnel;
- (b) prescribe practice standards for pharmacists and pharmacy support personnel;
- (c) provide for the discipline of pharmacists and pharmacy support personnel;

- (d) prescribe the conditions, including the type of premise for the issue of general and limited licenses of the Council;
- (e) prescribe fees payable to pharmacist in respect of professional services, medicines and other articles supplied
- (f) prescribe the scope of medicines of practice of various categories of persons registered under this Act
- (g) prescribe the range of medicines for health practitioners
- (h) provide for the supply of medicines
- (i) prescribe standards of pharmacy practice in public and private health institutions;
- (i) prescribe the fees to be paid under this Act; and
- (j) provide for any other matters necessary for the effective implementation of the provisions of the Act.

PASSED in the National Assembly this Tenth day of December
in the year of Our Lord Two Thousand and Fourteen.

D. C. M. Kebbeh
Clerk of the National Assembly.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed in the National Assembly, and found by me to be a true and correct copy of the said Bill.

D. C. M. Kebbeh
Clerk of the National Assembly.