



ANNO DECIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1965

No. 42 of 1965

An Act to amend the Pharmacy Act, 1935-1952.

[Assented to 9th December, 1965.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. This Act may be cited as the "Pharmacy Act Amendment Act, 1965".
- (2) The Pharmacy Act, 1935-1952, as amended by this Act, may be cited as the "Pharmacy Act, 1935-1965".
- (3) The Pharmacy Act, 1935-1952, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of
principal Act,
s. 22—
Persons
entitled to
be registered.

3. Section 22 of the principal Act is amended—
 - (a) by striking out paragraphs II, III and VI of subsection (1) thereof ;
 - (b) by striking out subparagraph (a) of paragraph v thereof and inserting in lieu thereof the following subparagraph :—
 - (a) serves for the prescribed period as a trainee in the business of a registered pharmaceutical chemist or in a public hospital within the meaning of the Hospitals Act, 1934-1959, or in an institution within the meaning of the Mental Health Act, 1935-1960, or in any industrial establishment approved by the Chief Secretary on the recommendation of the board.

(c) by inserting therein after paragraph v thereof the following paragraph :—

va. Any person who—

(a) serves for the prescribed period as a trainee in the business of a registered pharmaceutical chemist or in a public hospital within the meaning of the Hospitals Act, 1934-1959, or in an institution within the meaning of the Mental Health Act, 1935-1960, or in any industrial establishment approved by the Chief Secretary on the recommendation of the board ; and

(b) is a graduate in pharmacy of any University in South Australia.

; and

(d) by striking out subsection (3) thereof.

4. Section 22a of the principal Act is amended—

- (a) by striking out the words “indentures of apprenticeship” in paragraph (a) of subsection (1) thereof and inserting in lieu thereof the words “an agreement of traineeship” ;
- (b) by striking out the word “apprentice” wherever occurring therein and inserting in lieu thereof the word “trainee” in each case ;
- (c) by striking out the words “contract of apprenticeship” in subsection (3) thereof and inserting in lieu thereof the words “agreement of traineeship” ;
- (d) by striking out the words “indentures of apprenticeship which are” in subsection (4) thereof and inserting in lieu thereof the words “agreement of traineeship which is” ;
- (e) by striking out the word “indentures” (second occurring) in the said subsection (4) thereof and inserting in lieu thereof the word “agreement” ; and
- (f) by striking out the word “apprentices” in the said subsection (4) thereof and inserting in lieu thereof the word “trainees”.

Amendment of
principal Act,
s. 22a—

Registration
when
apprenticeship
served during
war.

Enactment of
s. 26aa of
principal Act—

5. The following section is inserted in the principal Act immediately after section 26a thereof:—

Non-applica-
tion of ss. 26
and 26a to
certain
hospitals.

26aa. Sections 26 and 26a of this Act shall not apply to the Board of Management of any hospital receiving a Government subsidy or grant in aid, approved by the Chief Secretary on the recommendation of the board, employing a registered pharmaceutical chemist for the purpose only of compounding or dispensing drugs or medicines on the order or prescription of legally qualified medical practitioners for in-patients accommodated at that hospital.

Amendment of
principal Act,
s. 26d—
Restriction on
friendly
societies.

6. Section 26d of the principal Act is amended—

- (a) by striking out the proviso to subsection (1) thereof ;
(b) by inserting therein after the said subsection (1) thereof the following subsection :—

(1a) Notwithstanding the provisions of subsection (1) of this section the body known as The Friendly Societies Medical Association Incorporated may, after the commencement of the Pharmacy Act Amendment Act, 1965, carry on the business of selling goods by retail in not more than thirty-one shops ; but the Association shall not establish or maintain any such new shop after the commencement of the Pharmacy Act Amendment Act, 1965, unless the situation of that shop has been approved by the Minister.

; and

- (c) by inserting after the expression “(1)” in subsection (2) thereof the passage “or (1a)”.

Amendment of
principal Act,
s. 28—
Saving as to
assistants and
to apprentices.

7. Section 28 of the principal Act is amended by striking out the word “apprentice” therein and inserting in lieu thereof the word “trainee”.

Amendment of
principal Act,
s. 33a—
Non-applica-
tion of s. 223
of the
Industrial
Code, 1920.

8. Section 33a of the principal Act is amended by striking out the word “apprentice” therein and inserting in lieu thereof the word “trainee”.

Repeal and
re-enactment
of s. 37 of
principal Act—

9. Section 37 of the principal Act is repealed and the following section is inserted in the principal Act in lieu thereof :—

Regulations.

37. The Board may, with the approval of the Governor, make regulations not inconsistent with this Act prescribing all matters which under this Act are required or permitted to be prescribed or which may be necessary or convenient

to be prescribed for carrying out or giving effect to this Act and in particular but without limiting the generality of the foregoing for all or any of the following matters :—

- (a) the manner of election of its members, the times and places of meetings of the board and the conduct of business at those meetings ;
- (b) the terms and conditions of agreements of traineeship with registered pharmaceutical chemists ;
- (c) the period to be served by trainees ;
- (d) the number of trainees to be employed in hospitals or approved institutions ;
- (e) the training of trainees and the provision by every pharmaceutical chemist, public hospital, institution and industrial establishment with whom or where any person serves as a trainee of adequate and suitable equipment and facilities for such training ;
- (f) the appointment of examiners and the conduct of examinations ;
- (g) the verification by statutory declaration, examination of witnesses or otherwise of the compliance of applicants for examination and for registration with the requirements of this Act and their admission to examination ;
- (h) the granting of certificates and the keeping and publication of a register of pharmacists ;
- (i) the recording by pharmaceutical chemists of prescriptions dispensed, compounded or made up by them ;
- (j) the conditions under which the practice of a pharmaceutical chemist in any pharmacy is to be conducted and medicines are to be dispensed compounded or made up ;
- (k) the duties of managers and relieving managers ;
- (l) the inspection of pharmacies ;
- (m) the equipment and facilities to be kept and provided at premises where the business of a pharmaceutical chemist is conducted ; and
- (n) prescribing penalties recoverable summarily and not exceeding twenty-five pounds for the breach of any regulation.

10. The principal Act is amended in the manner set out in the Schedule.

THE SCHEDULE.

AMENDMENTS TO THE PHARMACY ACT, 1935-1952.

Section of Act.	Amendment.
Section 25 (2)	Strike out "fifty" and insert "one hundred".
Section 26 (2)	Strike out "five" and insert "ten".
	Strike out "twenty" and insert "fifty".
	Strike out "ten" and insert "twenty-five".
	Strike out "one hundred" and insert "two hundred".
Section 26 (3)	Strike out "two" and insert "five".
	Strike out "twenty" and insert "fifty".
	Strike out "five" and insert "ten".
	Strike out "fifty" and insert "one hundred".
Section 26a (2)	Strike out "fifty" and insert "one hundred".
	Strike out "one hundred" and insert "two hundred".
Section 26a (3)	Strike out "twenty" and insert "fifty".
	Strike out "fifty" and insert "one hundred".
Section 26b (5)	Strike out "fifty" and insert "one hundred".
Section 26b (6)	Strike out "twenty" and insert "fifty".
Section 26c (5)	Strike out "fifty" and insert "one hundred".
Section 26c (6)	Strike out "twenty" and insert "fifty".
Section 26d (3)	Strike out "fifty" and insert "one hundred".
Section 26e (6)	Strike out "fifty" and insert "one hundred".
Section 29 (2)	Strike out "ten" and insert "twenty-five".
Section 32 (1)	Strike out "twenty" and insert "fifty".
	Strike out "one year" and insert "two years".
Section 32 (2)	Strike out "one year" and insert "two years".
	Strike out "twenty" and insert "fifty".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.