

**1968/153**

*Reprint under section 7 of the Regulations Act 1936 of the Pharmacy Regulations 1944 (S.R. 1944/128), as amended by the following Amendments:*

- Amendment No. 1, S.R. 1945/122
- Amendment No. 2, S.R. 1946/177 (*Revoked by regulation 4 (2) of S.R. 1962/85*)
- Amendment No. 3, S. R. 1948/14 (*Revoked by regulation 3 (3) of S.R. 1955/134*)
- Amendment No. 4, S.R. 1948/149 (*Revoked by regulation 4 (2) of S.R. 1962/85*)
- Amendment No. 5, S.R. 1951/40 (*Spent*)
- Amendment No. 6, S.R. 1952/144 (*Revoked by regulation 4 (2) of S.R. 1962/85*)
- Amendment No. 7, S.R. 1955/134 (*Spent*)
- Amendment No. 8, S.R. 1957/156 (*Revoked by regulation 4 (2) of S.R. 1962/85*)
- Amendment No. 9, S.R. 1959/215 (*Spent*)
- Amendment No. 10, S.R. 1962/61 (*Revoked by regulation 4 (2) of S.R. 1962/85*)
- Amendment No. 11, S.R. 1962/85
- Amendment No. 12, S.R. 1963/14
- Amendment No. 13, S.R. 1963/207
- Amendment No. 14, S.R. 1964/206

## THE PHARMACY REGULATIONS 1944 (REPRINT)

C. L. N. NEWALL, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 6th day of  
September 1944

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Pharmacy Act 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and in accordance with recommendations made by the Pharmacy Board of New Zealand and transmitted by the Board to the Minister of Health, doth hereby make the following regulations.

### REGULATIONS

#### PART I—PRELIMINARY

1. These regulations may be cited as the Pharmacy Regulations 1944.
2. These regulations shall come into force on the 1st day of October 1944.

3. In these regulations, unless inconsistent with the context,—

“The Act” means the Pharmacy Act 1939:

[“College of Pharmacy” means a school, college, or other institution maintained by the Pharmaceutical Society of New Zealand under section 24 of the Statutes Amendment Act 1943:]

“District” means one of the districts defined in section 5 of the Act:

“Member for the district” means a member of the Board elected by the members of the Society whose registered addresses are in the district:

Expressions used herein have the same meaning as in the Act.

“College of Pharmacy”: The definition of this term was inserted by regulation 2 of S.R. 1945/122. S. 24 of the Statutes Amendment Act 1943 referred to therein was repealed by s. 3 (2) of the Pharmacy Amendment Act 1959. See now s. 11 (5) of the Pharmacy Act 1939 (as substituted by s. 3 (1) of the Pharmacy Amendment Act 1959), and regulation 22 (2) of these regulations which prescribes the Central Institute of Technology, Petone, and the University of Otago as approved schools.

4. The Pharmacy Regulations 1937\* and the Pharmacy Board Fees Regulations 1941† are revoked.

5. All certificates, appointments, registers, records, articles of indenture, and other instruments, and generally all acts of authority, applications, and all other documents, matters, acts, and things, and all periods of time which originated under any regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations and shall, where necessary, be deemed to have so originated.

## PART II—FINANCIAL PROVISIONS

6. The fees set out in the First Schedule hereto shall be payable in advance to the Registrar in respect of the matters therein specified.

7. (1) The Registrar shall pay all moneys received by him on behalf of the Board to the credit of the Board at a bank to be from time to time appointed by the Board.

(2) All cheques drawn on a bank account of the Board shall be signed, and all negotiable or other instruments requiring endorsement shall be endorsed, by any two of three nominated members of the Board or by one such member and the Registrar:

Provided that cheques paid into the bank may be endorsed by the Registrar alone.

(3) No cheque shall be drawn on a bank account of the Board and no moneys of the Board shall be expended except pursuant to a resolution of the Board approving the payment and the amount thereof, but no banker or other person to whom a cheque duly signed is presented shall be concerned to inquire whether any such resolution has been passed.

(4) The Registrar shall receive all fees, fines, subscriptions, donations, and other moneys which may become due or payable to the Board, and give a printed receipt for the same, retaining a duplicate of such receipt.

8. The Registrar shall prepare and present to the Board at its first meeting in each year a balance sheet certified by the Auditor and showing the financial position of the Board as at the last preceding 31st day of December, together with a statement of income and expenditure and an itemised cash summary each covering the year ended on such 31st day of December and each certified by the Auditor.

9. A Deputy Registrar appointed in respect of any district shall receive fees, fines, subscriptions, donations, and other moneys payable in that district, and give a printed receipt for the same, retaining a duplicate of such receipt, and remit the amount of moneys received to the Registrar. All accounts by Deputy Registrars for payment by the Board shall be certified by a Board member.

10. (1) The Board shall, at its first meeting in each year, appoint a fit and proper person as Auditor, who shall hold office until the first meeting of the Board in the succeeding year, and may pay a fee to such Auditor.

(2) The Auditor shall inspect the books and accounts of the Board, examine the annual balance sheet and other accounts prepared by the Registrar, and certify to the same if correct. He shall also investigate and examine all accounts and vouchers relating to or concerning the same which may be in possession of the Registrar, examine the bank passbook and ascertain that it corresponds with the account of the Board in the bank, and present an annual report to the Board stating the result of his inspection and examination.

#### PART III—REGISTRAR AND DEPUTY REGISTRARS

11. (1) The Registrar shall attend all meetings of the Board and Committees. It shall be his duty to superintend the affairs of the Board, under the direction of the Board and Committees. He shall also conduct the correspondence, issue all notices, take minutes of all meetings and read them, and make a report of all matters that come under his cognisance for the information of the Board and Committees. He shall consult the President on any business requiring attention between meetings, notify members of actions taken or pending, and be responsible for the safe custody of all documents, papers, and property of the Board under his control. He shall find, if required, surety in the sum of not less than [£200] in some fidelity-guarantee society approved by the Board, the premium upon which shall be recouped him by the Board. He shall occupy the Board's office in Wellington, keeping it open during the usual office hours; and shall be responsible for the management of the building.

(2) In addition to keeping the register of pharmaceutical chemists and the roll relating to enrolled managers as prescribed by the Act, the Registrar shall keep a register of all persons who have passed the qualifying examination.

In subclause (1) the sum of \$200 was substituted for £100 by s. 7 of the Decimal Currency Act 1964.

12. Deputy Registrars shall keep on hand and supply to applicants any forms required by these regulations. They shall act in conjunction with Board members in all matters referred to them by the Registrar, and shall endeavour to ensure the satisfactory working of the Act in the district.

## PART IV—PROCEEDINGS OF THE BOARD

13. The Board shall meet at such time or place as may be decided by the Board, and on such other days and at such times as the President or any two members of the Board shall desire by requisition in writing delivered at least 12 days before the date desired for the meeting to the Registrar, who shall thereupon send proper notice to all members of the Board.

14. At every meeting of the Board the first business shall be the reading and confirmation of the minutes of the previous meeting, and no discussion shall be permitted thereon except as to the accuracy of such minutes as a record of the proceedings. The minutes, when confirmed, shall be signed by the President or Vice-President. After signing the minutes, the order of business shall be as follows, unless altered by resolution of the Board:

- (a) Reading copies of letters sent by authority of the Board:
- (b) Reading letters received, and considering and ordering thereon:
- (c) Presentation of reports of Committees, consideration and adoption thereof:
- (d) Accounts for payment:
- (e) Ordinary business, including postponed and former notices of motion:
- (f) New rules, amending regulations, and notices of motion of which 21 days' notice has been given:
- (g) Any other business that may be properly brought before the Board.

15. The Board may from time to time appoint from amongst its members any Committee and may by resolution at any time discharge a Committee so appointed. The President shall, *ex officio*, be a member of all Committees, and if present shall preside except at meetings of the Disciplinary Committee.

16. No member of the Board shall be Registrar or Auditor.

17. The common seal of the Society shall be deposited in the office of the Board in charge of the Registrar, and shall be used by the Registrar only when authorised by resolution of the Board duly recorded in the minutes.

18. (1) Any member of the Board who for any reason is unable to attend any ordinary meeting or any special meeting of which due notice has been given may, in writing under his hand, give notice to the President of his inability to attend, and may appoint any other member to act as his proxy at that meeting and to vote on his behalf on any particular business of which due notice has been given; but no member may appoint another to act as his proxy in general terms without specifying the particular business upon which he wishes his vote to be recorded.

(2) An appointment of a proxy shall be in the form numbered 1 in the Second Schedule hereto.

## PART V—ANNUAL MEMBERSHIP FEE

19. The annual practising fee payable to the Society by every chemist shall be the sum of [[\$8.40]]:

Provided that a chemist who satisfies the Registrar that he has attained the age of 65 years shall pay a practising fee of **[[[\$4.20]]**:

Provided also that a chemist who satisfies the Registrar that he is not resident in New Zealand shall pay a practising fee of **[[[\$4.20]].]**

This regulation was substituted for the former regulation 19 (as substituted by regulation 2 of S.R. 1959/215) by regulation 2 of S.R. 1964/206.

The references to money in decimal currency were substituted for references to money in the former currency by s. 7 of the Decimal Currency Act 1964.

#### PART VI—CERTIFICATES OF COMPETENCY AND REGISTRATION

**20.** A certificate of competency issued pursuant to section 11 of the Act may be in the form numbered 2 in the Second Schedule hereto.

**21.** A certificate of registration may be in the form numbered 3 in the Second Schedule hereto.

**[22.** (1) For the purposes of paragraph (b) of subsection (1) of section 11 of the Act, the period of apprenticeship required to be served by an applicant for registration shall be 2 years:

Provided that where the applicant satisfies the Board that he is the holder of the degree of Bachelor of Pharmacy granted by the University of Otago, the period of apprenticeship shall be 1 year.

(2) For the purposes of section 11 of the Act the Central Institute of Technology, Petone, and the University of Otago are hereby prescribed as approved schools.

**[23.** Every applicant for a certificate of competency shall produce to the Board such evidence as the Board may require—

- (a) That he has passed or been accredited for the Entrance Examination of the University of New Zealand or such other examination as may for the time being be accepted by the Board as being of equal standard thereto; and
- (b) That he has passed the examinations prescribed by regulation 31 of these regulations or that he has attended the course of training and instruction leading to the degree of Bachelor of Pharmacy of the University of Otago and has passed the examinations required for and entitling him to that degree.

The University of New Zealand ceased to exist on 1 January 1962; see s. 51 of the Universities Act 1961. As to the University Entrance Examination, see Part II of that Act.

**[23A.** Unless in any case the Board otherwise decides, every applicant for registration shall produce to the Board—

- (a) A statutory declaration made by the applicant that—
  - (i) He has attained the age of 21 years;
  - (ii) He has passed the examinations prescribed by the Board to enable him to become registered as a pharmaceutical chemist; and
  - (iii) He has faithfully and without unreasonable intermission served for a period to be stated by him therein under articles of apprenticeship approved by the Board and (together with any assignment thereof) recorded under these regulations; and
- (b) His articles of apprenticeship; and

- (c) A statutory declaration by his employer, or, if the apprenticeship was served successively under more employers than one, then by each of such successive employers, in the form numbered 1 in the Fourth Schedule hereto:

Provided that the Board may, in any case where any such declaration is unobtainable, accept the declaration of any other person having sufficient knowledge of the facts.]

Regulations 22, 23, and 23A were substituted for the original regulations 22 and 23 (regulation 23 having been amended by regulation 3 of S.R. 1945/122) by regulation 2 of S.R. 1962/85.

24. All plates used for printing the forms of certificates and all prints taken therefrom shall be returned to the custody of the Registrar. No print shall be taken except by resolution of the Board.

25. Every registered chemist keeping open shop and every enrolled manager shall display his certificate of registration in his pharmacy or dispensary in a prominent position in full view of the public.

26. Upon a statutory declaration being made to the effect that a certificate issued by the Board has been lost or destroyed, and stating the circumstances of its loss or destruction, the loser may, upon application to the Board and on payment of the prescribed fee, be supplied with another certificate in terms of section 16 of the Act. Such certificate shall be marked "Duplicate," and the fact of its issue shall be recorded in the Register.

27. If a certificate has been so damaged that its replacement is desired, it may be returned to the Board with an application to that effect and accompanied by the prescribed fee, whereupon a substituted certificate shall be issued and the fact of its issue recorded in the Register.

#### PART VII—APPROVAL OF PRIVATE HOSPITAL

28. The following private hospital is, so long as it is licensed under [Part V of the Hospitals Act 1957], approved for the purposes of section 11 of the Act:

The Mater Misericordiæ Hospital, presently conducted at Mountain Road, Epsom, in the City of Auckland.

The reference to Part V of the Hospitals Act 1957, being the corresponding enactment in force at the date of this reprint, has been substituted for Part III of the repealed Hospitals and Charitable Institutions Act 1926.

#### PART VIII—RECIPROCITY

29. The following certificates, diplomas, degrees, or licences, are recognised for the purposes of [subsection (3) of section 11] of the Act: Certificates of registration issued by the respective pharmaceutical authorities empowered by legislation in that behalf in Great Britain, Ireland, Northern Ireland, Queensland, New South Wales, Victoria, South Australia, Western Australia, and Tasmania.

The words in square brackets were substituted for the words "subsection (2) of section 11" (as substituted by s. 4 of S.R. 1945/122) by s. 3 of S.R. 1962/85.

30. Every person seeking to be registered as a pharmaceutical chemist under the provisions of paragraph (b) of subsection (1) of section 11 of the Act shall, together with his application for registration and the prescribed fee, produce to the Board—

- (a) The recognised certificate by virtue of which he seeks to be registered:
- (b) Satisfactory evidence by statutory declaration or otherwise that he is the person referred to in the certificate:
- (c) Satisfactory evidence that he is of good character and reputation.

#### [PART IX—EXAMINATIONS

31. The following examinations are hereby prescribed for the purposes of section 11 of the Act:

- (a) An examination to be known as the Pharmacy Professional Examination Stage I which shall be the examination of the New Zealand School of Pharmacy, Central Institute of Technology, Petone, in the subjects prescribed in Part I of the Third Schedule to these regulations or the Medical Intermediate Examination of any university in New Zealand:

Provided that the Board may exempt any person from any such examination if it is satisfied that he has passed an examination of equivalent standard thereto:

- (b) An examination to be known as the Pharmacy Professional Examination Stage II and to be conducted by the Board of Examiners appointed under subsection (6) of section 11 of the Act in the subjects prescribed in Part II of the Third Schedule to these regulations. [[The duration of the papers in each of the prescribed subjects shall be determined by the Board of Examiners from time to time]].

In para. (b) the words in double square brackets were added by regulation 3 of S.R. 1964/206.

32. (1) Subject to the provisions of this regulation, candidates shall satisfy the examiners in all subjects in the Pharmacy Professional Examination Stage II in order to gain a pass in that examination:

[[Provided that any candidate who fails either in the written or in the practical section (but not both) of one subject only in the examination may, with the approval of the Board of Examiners, be permitted to sit a special examination in that section of the subject in which he has failed at a time and place determined by that Board:

Provided also that any candidate who fails in one subject only in the examination may, with the approval of the Board of Examiners, be permitted to sit that subject at a subsequent ordinary examination, without being required to satisfy the examiners in any subject in which he has previously passed.]]

(2) Any candidate who has been prevented by illness from presenting himself at any examination, or who considers that his performance in any examination has been seriously impaired by illness, may, on application, and with the approval of the Board of Examiners, be granted an aegrotat pass, subject to the following conditions:

- (a) That such illness shall have been reported in writing to the Chief Supervisor or other responsible official at the earliest possible opportunity:

- (b) That as soon as practicable after the examination in question the candidate furnish to the Registrar of the Board a certificate from a registered medical practitioner stating—
- (i) That he examined the candidate medically on a specified date:
  - (ii) That in his opinion the candidate was unable through illness to present himself for the examination in question, or that in his opinion the candidate's performance in the examination in question was likely to have been seriously impaired by illness:
  - (iii) The nature of the illness—this to be given in sufficient detail to make it clear that the candidate was not responsible for his disability, and in a form suitable for submission in cases of doubt to a medical referee:
- (c) That the candidate's responsible teachers in the subject or subjects of the examination in question certify that his work therein during his course of instruction was well above the minimum pass standard and that he is in their opinion clearly worthy to pass in that subject or subjects:
- (d) That the quality of any work which the candidate has completed in the examination in a subject (including work in papers not affected by his illness) be taken into account:
- (e) Application for an aegrotat pass, accompanied by the medical certificate, shall be made in writing to the Registrar of the Board not later than the 30th day of November of the year in which the examination has been held.

The provisos to subclause (1) were substituted for the former proviso by regulation 2 (1) of S.R. 1963/14. Regulation 2 (2) of S.R. 1963/14 provides as follows:

2. (2) The provisions of subclause (1) of regulation 32 of the principal regulations as amended by subclause (1) of this regulation shall apply with respect to candidates for the Pharmacy Professional Examination Stage II in the year 1962 and to candidates for that examination in subsequent years.

**[33.]** (1) The Pharmacy Professional Examination Stage II shall be held at least once in every year at such place or places as may be determined by the Board of Examiners.

(2) The Board may pay from the funds of the Society a reasonable fee to any member of the Board of Examiners or to any person employed or appointed by the Board of Examiners to assist in the conduct of the Pharmacy Professional Examination Stage II.

**[34.]** No person shall present himself for the Pharmacy Professional Examination Stage I until he has—

- (a) Passed or been accredited with the Entrance Examination of the University of New Zealand or such other examination as may for the time being be accepted by the Board as being of equal standard thereto; and
- (b) Thereafter attended the appropriate course of education and training at one of the schools approved for the purposes of section 11 of the Act for a period of 1 academic year; and
- (c) Complied with such requirements of the examining body as may be material.

The University of New Zealand ceased to exist on 1 January 1962; see s. 51 of the Universities Act 1961. As to the University Entrance Examination, see Part II of that Act.



**[35.** No person shall present himself for the Pharmacy Professional Examination Stage II until he has—

- (a) Passed the Pharmacy Professional Examination Stage I or such other examination as may for the time being be accepted by the Board as being of equal standard thereto; and
- (b) Thereafter attended the appropriate course of education and training at one of the schools approved for the purposes of section 11 of the Act for a period of 1 academic year; and
- (c) Made application to the Board in writing in that behalf and paid the prescribed fee:

**[[**Provided that the Board of Examiners may decline to accept the application of any person who has previously failed the examination and in its opinion should not be allowed to continue with the examination.**]]**

The proviso was added by regulation 4 of S.R. 1964/206.

**[36.** (1) The Board may from time to time in respect of any examination prescribed in regulation 31 of these regulations appoint Assessors who may be paid such fees from the funds of the Society as the Board may determine and who shall have the following duties:

- (a) To assess and determine the standard of the examination papers;
- (b) To examine candidates' scripts after they have been marked by examiners and to agree with the examiners on the pass standard.

(2) Should an Assessor and an Examiner fail to agree on any matter relating to any examination prescribed in regulation 31 of these regulations, the dispute shall be referred to the Board of Examiners whose decision shall be final.

#### **[PART X—APPRENTICESHIP**

**[37.** (1) No articles of apprenticeship shall be recorded by the Board under which any apprentice is bound to a person who is not for the time being a registered pharmaceutical chemist.

(2) No articles of apprenticeship of a person under 21 years of age shall be recorded by the Board unless the parent or guardian of the apprentice is a party thereto.

(3) No articles of apprenticeship shall be recorded by the Board unless they are executed as a deed by all the parties thereto and contain the terms and conditions set out in Part II of the Fourth Schedule hereto or terms and conditions to the like effect.

(4) Articles of apprenticeship shall be recorded by the delivery thereof to the Board, together with—

- (a) The prescribed fee;
- (b) Two counterpart originals duly executed in like manner as the original, whereof one shall be forwarded with the fact and date of recording endorsed thereon to the employer and the other similarly endorsed to the apprentice.

(5) Articles of apprenticeship shall be presented for recording within 4 months of the date thereof, and assignments of articles within 1 week of the date thereof, unless in any special case the Board thinks fit to extend the respective times hereby prescribed.

(6) It shall be the duty of the employer to see that articles of apprenticeship and any assignment thereof are duly presented to the Board for recording, and that cancellation of any articles is forthwith notified to the Board.

(7) Before recording any articles of apprenticeship the Board may require to be satisfied by the employer—

(a) That his dispensary is of such form and disposition as to provide adequate scope for an apprentice's activities:

(b) That the dispensary is sufficiently equipped to enable the apprentice to undertake the proper exercises of his training:

(c) *Revoked by regulation 5 of S.R. 1964/206.*

(8) It shall be the duty of the employer to see that the apprentice, throughout the term of his service, has in his possession a suitable notebook, and records therein the dispensing and manufacturing exercises carried out by him; and to supervise the conduct of all such exercises.

(9) It shall be the duty of the employer to make and give to the apprentice a statutory declaration in the form set out in Part I of the Fourth Schedule hereto when the employer is able to do so.

**[38.** The number of apprentices (exclusive of apprentices who for the time being have less than 12 more months to serve under articles of apprenticeship) employed in any pharmacy or dispensary shall not exceed—

(a) Where only one chemist is engaged in the establishment (whether as proprietor, manager, or otherwise), one apprentice:

(b) For every two additional chemists so engaged, one additional apprentice.]

Part IX (comprising regulations 31–36) and Part X (comprising regulations 37 and 38) were substituted for the original Parts IX and X (regulation 33 having been amended by regulation 2 of S.R. 1946/177 and regulation 2 of S.R. 1957/156; regulation 36 having been amended by regulation 5 of S.R. 1945/122 and regulation 2 of S.R. 1952/144; regulation 37 having been replaced by regulation 3 of S.R. 1948/149 and amended by regulation 2 of S.R. 1962/61; and regulation 38 having been amended by regulation 2 of S.R. 1955/134) by regulation 4 (1) of S.R. 1962/85.

Regulation 8 of S.R. 1962/85 provides as follows:

8. (1) Notwithstanding the provisions of these regulations the principal regulations shall remain in force and continue to apply in respect of any person to whom subsection (3) of section 3 of the Pharmacy Amendment Act 1959 applies to such extent as may be necessary to give effect to that subsection as if these regulations had not been made.

[(2) Notwithstanding the foregoing provisions of this regulation, any candidate to whom those provisions apply who obtains at least 50 percent in any three subjects of the examination and not less than 40 percent but less than 50 percent in the remaining subject may, subject to the approval of the Board, be permitted to sit a special examination in that remaining subject at a time and place to be determined by the Board, and, upon obtaining at least 50 percent at the special examination, he shall be granted a pass of the Section C Examination.

(3) If any such candidate fails to gain a pass at any such special examination he shall be required to present himself for re-examination in all subjects of the Section C Examination.]

Subclauses (2) and (3) were added by regulation 2 (1) of S.R. 1963/207

## PART XI—INSPECTORS

39. The Board may appoint Inspectors to examine and report on the premises and equipment of any dispensary in which prescriptions are dispensed or in which an apprentice is to be employed, may call for a written report by the registered chemist in charge of such dispensary, or, in general, may adopt such other means of securing information as may be found expedient.

## PART XII—APPEALS

40. (1) The notice of appeal to be given under section 31 of the Act shall be in the form set out in the Sixth Schedule hereto, and shall specify the full name and postal address of the appellant and the grounds of the appeal and the name and full postal address of the chemist whom the appellant desires to be appointed to represent him as assessor, and such chemist shall give in writing his consent to act as assessor.

(2) The Pharmacy Board shall, by resolution, select a chemist whom that Board desires to be appointed to represent the Board as assessor, and who shall not be a member of that Board, and such chemist shall give in writing his consent to act as assessor.

(3) The Registrar shall notify the Minister of the names of the persons whom the appellant and the Pharmacy Board desire to be appointed to represent them as assessors and their full postal addresses respectively.

(4) The constitution of the Board of Appeal shall be by warrant in writing under the hand of the Minister delivered to the Magistrate whom he appoints to be a member of the Board of Appeal, accompanied by the notice of appeal received by the Minister from the Registrar.

(5) Any notice of the Board of Appeal shall be sufficient if signed by the Magistrate or by any clerk purporting to act by direction of the Magistrate, and any document of the Board of Appeal to be served on any party or person shall be sufficient if dispatched by registered post to the person to be served at the postal address of such person notified as aforesaid, and shall be deemed to be served at the time when it would be delivered or available for delivery at its address in the ordinary course of registered post.

(6) The Magistrate shall fix a convenient time and place for the hearing of the appeal, such time to be not more than 21 days after the receipt by the Magistrate of the warrant of the Minister constituting the Board of Appeal, and shall cause at least 7 days' previous notice in writing of such time and place to be given to each assessor, the appellant, and the Pharmacy Board respectively.

(7) Upon the hearing of any appeal the Board of Appeal may receive any evidence it thinks fit (whether on oath or otherwise), and may act on any statement, document, information, or matter which in the opinion of the Board of Appeal may assist it to deal with the matters before it, whether the same would be legally admissible in a Court of law or not.

(8) The Magistrate shall be the presiding member of the Board of Appeal, and in matters not expressly provided for in the Act or these regulations the procedure of the Board of Appeal shall be such as the Magistrate may determine.

(9) The Board of Appeal may from time to time adjourn the hearing or consideration or determination of the appeal as it thinks fit.

(10) At the hearing of the appeal the appellant may appear in person and may be represented by any person as his advocate, and the Pharmacy Board may be represented by any one of its members or any other person appointed by the Pharmacy Board for that purpose.

(11) The decision of the Board of Appeal shall be in writing signed by the members who concur therein, and in any case by the Magistrate; and the Magistrate shall cause copies thereof to be sent to the appellant and the Pharmacy Board respectively.

#### [PART XIII—PLANT AND EQUIPMENT

[41. The proprietor of every pharmacy shall at all times have and keep therein ready for use the plant and equipment described in the Fifth Schedule hereto (in these regulations referred to as the Board's Official List).]

Part XIII was added by regulation 6 of S.R. 1964/206.

### SCHEDULES

#### FIRST SCHEDULE

[1. In respect of the Pharmacy Professional Examination Stage II—	\$
(a) If paid at least 35 days before the date of the commencement of the examination .....	21.00
(b) If paid less than 35 days before the date of the commencement of the examination .....	26.00]
2. On application for registration (to include certificate of registration if granted under paragraph (a) of subsection (1) of section 11 of the Act) .....	4.20
3. For inspection of register of pharmaceutical chemists or register of persons who have passed the qualifying examination or roll relating to enrolled managers .....	0.50
4. For inspection of any other document kept by the Board and open to inspection .....	0.50
Provided that no fee shall be payable for inspection of any register, roll, or other document by an officer of the Government seeking inspection in the course of his duties.	
5. For a certificate of registration granted under paragraph (b) of subsection (1) of section 11 of the Act—	
(a) To the holder of a recognised certificate granted in Great Britain, Ireland, or Northern Ireland .....	10.50
(b) To the holder of a recognised certificate granted in any State of Australia .....	6.30
6. For reinstatement of name in register after being removed for any reason other than at the request of the member .....	4.20

FIRST SCHEDULE—continued

	§
7. For reinstatement of name in register after being removed at the request of the member .....	2.10
8. <i>Revoked by regulation 3 (2) of S.R. 1955/134.</i>	
9. For recording articles of apprenticeship (including three blank forms of articles) .....	1.00
10. For a duplicate of any certificate issued by the Board .....	1.05

Clause 1 was substituted for the former clause 1 (as substituted by regulation 3 (1) of S.R. 1955/134) by regulation 5 (1) of S.R. 1962/85.

The references to money in decimal currency were substituted for references to money in the former currency by s. 7 of the Decimal Currency Act 1964.

SECOND SCHEDULE

[Form No. 1

I, ....., of ....., being a member of the Pharmacy Board of New Zealand, hereby give notice that I am unable to attend the meeting of the Board to be held on ....., and I appoint ....., of ....., being a member of the Board, to act as my proxy, and to vote on my behalf in respect of the proposal [*Here give details of the particular business*] as stated in the agenda paper issued for that meeting.

Dated at ....., this ..... day of ....., 19.....

Signature:.....

*Directions*—The form, duly signed and completed, must be in the hands of the member appointed to act as proxy at least twelve hours before the opening of the meeting; and must be handed by him to the Registrar before the opening of the meeting.

[Form No. 2

[This certificate, issued by the Pharmacy Board of New Zealand pursuant to section 11 of the Pharmacy Act 1939, certifies the competency of ..... of ..... after passing the prescribed examinations and attending the prescribed course of education and training at an approved school.

Signed by direction of the Board this ..... day of ..... 19.....  
..... Registrar.]

This Form was substituted for the original Form 2 by regulation 6 of S.R. 1962/85.

[Form No. 3

*The Pharmaceutical Society of New Zealand*

CERTIFICATE OF REGISTRATION AS A PHARMACEUTICAL CHEMIST UNDER THE PHARMACY ACT 1939

No. of Certificate	Date of Registration	Name	Address	Qualification

....., President }  
....., Registrar } of the Pharmacy Board of New Zealand.

## [THIRD SCHEDULE

## SUBJECTS FOR EXAMINATIONS

## PART I

The subjects for the Pharmacy Professional Examination Stage I shall be the following:

*Chemistry*

(Two written papers and two practical papers)

- (i) The elementary principles of physical and general chemistry.
- (ii) The general principles of inorganic chemistry including the sources, methods of preparation, and characteristic properties of the commoner elements and their more important compounds with special reference to those elements and compounds in frequent use in pharmacy.
- (iii) The broad principles of the structural theory of organic compounds. The methods of formation and preparation properties and chief reactions of the simpler organic substances containing the chief functional groups illustrated by reference to compounds used in pharmacy.
- (iv) The elementary principles underlying qualitative and quantitative analysis.

*Practical*

Candidates must be prepared to carry out practical work to illustrate any aspect of the theoretical section of this syllabus.

*Physics*

(Two written papers and one practical paper)

- (i) The fundamental principles of mechanics. Properties of matter.
- (ii) The general principles of heat including thermometry; changes in volume with alteration in temperature; specific heat; changes in state; convection; conduction and radiation; laws of cooling; relation between heat and work, and the Gas Laws and Kinetic theory of gases.
- (iii) The general principles of light including photometry; geometrical optics; colour, dispersion, interference, and spectrometry; nature of light and radiation; polarised light.
- (iv) An elementary conception of the nature, production, and propagation of sound.
- (v) The general principles of electric currents including measurement and related topics; magnetic effects and general magnetic phenomena; induced electric currents; chemical effects. Primary and secondary cells. The simple phenomena of static electricity.
- (vi) A general notion of modern physics including atomic structure, X-rays, and associated phenomena.

*Practical*

Candidates must be prepared to carry out practical work to illustrate any aspect of the theoretical section of this syllabus.

THIRD SCHEDULE—*continued**Biology*

(Two written papers and two practical papers)

(i) The distinction between living and non-living matter and between plants and animals including cell structure and division.

(ii) An elementary knowledge of the various groups of plants.

(iii) A general knowledge of the Angiosperms including anatomy, histology, and reproduction.

(iv) The elements of plant physiology.

(v) A general knowledge of comparative zoology including the physiology, reproduction, and life histories of the major Phyla.

(vi) The basic principles of parasitism, commensalism, and symbiosis.

(vii) The structure and physiology of the animal cell and an elementary knowledge of animal histology and embryology.

(viii) The elementary facts of genetics, heredity, variation, and evolution.

*Practical*

Candidates must be prepared to carry out practical work to illustrate any aspect of the theoretical section of this syllabus.

## PART II

The subjects for the Pharmacy Professional Examination Stage II shall be the following:

*Pharmaceutical Chemistry*

[[ (Two written papers and one practical paper) ]]

(i) The general principles of physical chemistry.

(ii) The general principles of inorganic chemistry with special reference to the preparation, purification, and properties of the elements and compounds in frequent use in pharmacy.

(iii) A general knowledge of the mechanism of organic reactions. The methods of formation and preparation and the general chemical properties of substances containing the chief functional groups illustrative by reference to compounds used in pharmacy.

(iv) The occurrence of impurities in medicinal chemicals and preparations used in pharmacy; the principles underlying qualitative and quantitative analysis; the principles underlying tests for purity.

The words in double square brackets were substituted for the words "(Two written papers each of three hours' duration and one practical paper of six hours' duration)" by regulation 7 (a) of S.R. 1964/206.

*Practical*

Candidates must be prepared to carry out practical work to illustrate any aspect of the theoretical section of this syllabus. (Candidates are permitted to bring for use in the practical examination any books they wish. They will be required to bring to the practical examination their original note books for inspection should the examiners so desire. The

### THIRD SCHEDULE—*continued*

examiners are not precluded from asking candidates oral questions during the practical session.) [[The Board of Examiners may exempt from the practical examination any candidate whose work during the year has in their opinion been of a satisfactory standard.]]

The words in double square brackets were added by regulation 7 (e) of S.R. 1964/206.

#### *Pharmaceutics*

[[ (Three written papers and one practical paper) ]]

(i) The physico-chemical principles involved in pharmaceutical formulations and operations.

(ii) The posology of drugs. The compounding and dispensing of medicaments. The preparation, preservation, and storage of pharmaceutical preparations.

(iii) A fundamental knowledge of microbiology.

(iv) Immunological preparations; the principles underlying their preparation and use.

(v) Principles of sterilization and asepsis.

(vi) The law relating to pharmacy.

The words in double square brackets were substituted for the words “(Three written papers each of three hours’ duration and one practical paper of six hours’ duration)” by regulation 7 (b) of S.R. 1964/206.

#### *Practical*

Candidates must be prepared to carry out practical work to illustrate any aspect of the theoretical section of this syllabus. (Candidates will be allowed to bring to the practical examination any books they wish. They will be required to bring to the practical examination their original laboratory note books for inspection should the examiners so desire. The examiners are not precluded from asking candidates oral questions during the practical session.)

#### *Pharmacognosy*

[[ (One written paper and one practical paper) ]]

(i) A general knowledge of the sources, constituents, production, varieties, adulteration, evaluation, and storage of crude drugs, including an elementary knowledge of plant protection.

(ii) A general knowledge of the tissues and cell inclusions which are diagnostic of crude drugs.

(iii) Surgical dressings, filtering agents. Lower organisms of pharmaceutical interest such as ergot, penicillium, yeast, actinomycetes, and algae.

The words in double square brackets were substituted for the words “(One written paper and one practical paper each of two hours’ duration)” by regulation 7 (c) of S.R. 1964/206.

#### *Practical*

Candidates must be prepared to carry out practical work to illustrate the theoretical section of this syllabus. (Candidates will be required to bring to the practical examination their original laboratory note books



**THIRD SCHEDULE—continued**

for inspection should the examiners so desire. The examiners are not precluded from asking candidates oral questions during the practical session.) **[[The Board of Examiners may exempt from the practical examination any candidate whose work during the year has in their opinion been of a satisfactory standard.]]**

The words in double square brackets were added by regulation 7 (e) of S.R. 1964/206.

*Pharmacology*

**[[One written paper and one practical paper]]**

(i) An elementary knowledge of pharmacology including the relationship between substances which are of pharmacological importance and their effect on the physiological functions of the body.

(ii) An elementary knowledge of the histological structure of the more important tissues.

(iii) The general principles of biological standardisation.

The words in double square brackets were substituted for the words “(One written paper and one practical paper each of three hours’ duration)” by regulation 7 (d) of S.R. 1964/206.

*Practical*

Candidates must be prepared to carry out practical work to illustrate any aspect of the theoretical section of this syllabus including simple experiments in chemical physiology and the recognition and description of microscopic preparations of the more important tissues. (Candidates will be allowed to bring to the practical examination any books (other than books containing references to histology) they wish. They will be required to bring to the practical examination their original laboratory note books for inspection should the examiners so desire. The examiners are not precluded from asking candidates oral questions during the practical session.) **[[The Board of Examiners may exempt from the practical examination any candidate whose work during the year has in their opinion been of a satisfactory standard.]] ]**

The words in double square brackets were added by regulation 7 (e) of S.R. 1964/206.

This Schedule was substituted for the original Third Schedule by regulation 7 of S.R. 1962/85.

**[FOURTH SCHEDULE**

Regs. 23A, 37

**PART I***Statutory Declaration of Completion of Apprenticeship*

I, ..... of ....., being the employer (named in the foregoing articles) (to whom the foregoing articles have last been assigned) do solemnly and sincerely declare:

(1) That ..... being the apprentice named in the foregoing articles has served under the said articles for a period the first and last days of which are ..... 19..... and ..... 19..... in accordance with the terms thereof, at .....

FOURTH SCHEDULE—continued

(2) That during the term (he) (she) observed the hours commonly observed by chemists in the place where the said articles were served without any intermission save and except as follows: (Here state dates of intermission, if any).

And I make this declaration conscientiously believing the same to be true and by virtue of the "Oaths and Declarations Act 1957".

(Signature of Declarant) .....

Declared at ....., this ..... day of ..... before me—

Justice of the Peace in and for the Dominion of New Zealand, or Solicitor of the Supreme Court of New Zealand, or Postmaster, or Registrar of the Supreme Court or of any Magistrate's Court in New Zealand.

PART II

TERMS AND CONDITIONS OF ARTICLES OF APPRENTICESHIP

Part A—Provisions Binding all Parties

Clause 1—That at any time within 3 calendar months from the date of these articles either the apprentice or (as the case may be) the parent or guardian of the apprentice if a party hereto may give to the employer, or the employer may give to the apprentice or (as the case may be) to the parent or guardian of the apprentice if a party hereto, 1 week's notice in writing of intention to determine the apprenticeship at the date of the expiration of the notice without assigning any reason therefor and upon such date of expiration the apprenticeship shall immediately be determined.

Clause 2—That the working hours of the apprentice shall be such as are prescribed or permitted by law or, in the absence of legal regulation of such working hours, those that are generally observed by pharmaceutical chemists in the town or district in which the apprenticeship is served.

Clause 3—That any period of time during which the apprentice shall wrongfully absent himself or herself during working hours shall not be taken into account in calculating the term of the apprenticeship.

Clause 4—That the employer may from time to time deduct out of the wages to be paid to the apprentice any reasonable sum for loss of time occasioned by the absence of the apprentice, whether by reason of sickness or other cause, or without cause, and also for any loss sustained by the employer by reason of the negligence or misconduct of the apprentice:

Provided that in the event of the apprentice's absence by reason of sickness not due to the apprentice's misconduct, then in respect of wages payable for a period aggregating 2 weeks in any year in which such absence occurs no such deduction shall be made, and for the purposes of this proviso a year shall be a period of 12 months computed from the commencing date of service under the articles of apprenticeship or its anniversary.

Clause 5—That if the apprentice shall at any time during the said term be wilfully disobedient to the lawful orders or commands of the employer or be grossly negligent or shall otherwise grossly misbehave

FOURTH SCHEDULE—*continued*

towards the employer then and in any such case it shall be lawful for the employer to discharge the apprentice from his service.

*Clause 6*—That if the employer shall during the said term cease to carry on business in the place aforesaid wherein the same is now being carried on or shall die then the employer or the personal representatives of the employer as the case may be shall use all reasonable efforts to find a new employer in the said place to whom the apprentice may be assigned to serve the balance then unexpired of the term aforesaid but if such efforts shall prove unsuccessful then the employer or the personal representatives as the case may be shall be at liberty to determine this apprenticeship.

*Part B—Covenants on the Part of the Employer*

*Clause 7*—That the employer will at all times during the term of apprenticeship provide, for the use and instruction of the apprentice (in common with the employer and other persons entitled to use the same), the plant and equipment for the time being included in the Official List prescribed by the Pharmacy Regulations 1944.

*Clause 8*—That the employer will during the term of the apprenticeship afford to the apprentice the opportunity, under supervision of a pharmaceutical chemist, of dispensing not less than 1,000 prescriptions.

*Clause 9*—That the employer will during the said term to the best of his skill and knowledge instruct the apprentice or cause the apprentice to be instructed in the art or occupation of a chemist and druggist and in all things incidental thereto as now carried on or hereafter to be carried on by him.

*Clause 10*—That the employer will pay to the apprentice during the term of the apprenticeship wages at not less than the minimum rates for the time being prescribed by award.

*Part C—Covenants on the Part of the Apprentice or (as the case may be) the Apprentice and the Parent or Guardian of the Apprentice*

*Clause 11*—That the apprentice will during the whole of the said term well and truly serve the employer in his said business all his secrets keep and obey all such lawful directions orders and requests as the employer may give or make.

*Clause 12*—That the apprentice will not do any damage hurt or injury to the employer or knowingly suffer the same to be done by any other person or persons whomsoever without giving speedy notice thereof.

*Clause 13*—That the apprentice will at all times and in all respects conduct himself or herself as an honest and faithful apprentice ought to do.

*Part D—Covenants on the Part of the Parent or Guardian of the Apprentice*

*Clause 14*—That the apprentice will honestly and faithfully serve an apprenticeship during the said term with the employer in the manner and according to the covenants and provisions aforesaid and herein contained.

FOURTH SCHEDULE—*continued*

*Clause 15*—That the parent or guardian will during the said term at the cost and charge of the parent or guardian provide the apprentice with proper and sufficient food and clothing and lodging medical attendance and all other necessities.

*Clause 16*—That in case the apprentice shall at any time during the said term wilfully embezzle spoil or destroy any of the money drugs medicines instruments goods or other property of the employer the parent or guardian will within 1 calendar month after the same shall have been made known and satisfactorily proved to the parent or guardian pay satisfy and make good to the employer all such money drugs medicines instruments goods and property to the full value and amount thereof.]

This Schedule was substituted for the original Fourth Schedule by regulation 7 of S.R. 1962/85.

## [FIFTH SCHEDULE

(BOARD'S OFFICIAL LIST OF PLANT AND EQUIPMENT: REGULATION 41)

One dispensing balance to "B" grade requirements—i.e., to turn at 10 mg. Twelve assorted metric dispensing measures, 10 ml to 500 ml, all to be stamped.

One graduated cylindrical measure, glass, 10 ml.

One graduated cylindrical measure, glass, 100 ml.

Four mortars, assorted sizes, one to be of glass.

Two evaporating dishes.

Four funnels, assorted sizes.

One sieve or sifter.

One suppository mould.

One "counter" scales.

One set of metric weights 10 mg to 1,000 g.

Six spatulas, steel or stainless, assorted sizes.

Three spatulas, bone, plastic, or ebonite.

One thermometer Centigrade to 200°.

Two pots, enamel or stainless steel.

One water bath.

Six stirring rods.

Six test tubes.

One flask.

Two beakers.

Two ointment slabs.

One distillation apparatus.

One autoclave or alternative equipment for steam sterilisation.

Two tablet-counting trays.

One label-moistening apparatus.

One water filter—candle type.

Facilities for providing adequate hot water.

Heating facilities; Hotplate, gas ring, primus, or similar appliance.

Books: *British Pharmacopoeia*, *British Pharmaceutical Codex*; their addenda and supplements, the Acts and regulations relating to Pharmacy, *British National Formulary*.

Where three or more persons are employed in the compounding and dispensing of drugs the following additional equipment:

**FIFTH SCHEDULE—continued**

One dispensing balance to "B" grade requirements.  
 Two mortars.  
 Six metric dispensing measures, assorted sizes.  
 Six spatulas.  
 One ointment slab.]

This Schedule was substituted for the former Fifth Schedule (as substituted by regulation 2 of S.R. 1951/40) by regulation 8 of S.R. 1964/206.

**SIXTH SCHEDULE****NOTICE OF APPEAL**

To the Registrar of the Pharmacy Board at Wellington.

I, the undersigned, hereby give notice that I appeal against the decision of the Pharmacy Board given to me by the Registrar on the ..... day of ....., 19....., in regard to [*Here state subject of decision*].

My full name is .....

My full postal address is .....

I desire that the person appointed to represent me as assessor be .....

His full postal address is .....

Dated this ..... day of ..... 19.....

*Signature of Appellant:* .....

C. A. JEFFERY,  
 Clerk of the Executive Council.

*Certified for the purposes of section 7 of the Regulations Act 1936, this 28th day of August 1968.*

J. R. HANAN, *Attorney-General.*

Issued under the authority of the Regulations Act 1936.

Date of notification of principal regulations in *Gazette*: 7 September 1944.

These regulations are administered in the Department of Health.