

1968/242

THE PHARMACY REGULATIONS 1944, AMENDMENT NO. 15

ARTHUR PORRITT, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 16th day of December 1968.

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, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Pharmacy Regulations 1944, Amendment No. 15, and shall be read together with and deemed part of the Pharmacy Regulations 1944* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1969.

2. Interpretation—Regulation 3 of the principal regulations (as amended by regulation 2 of the Pharmacy Regulations 1944, Amendment No. 1), is hereby further amended by revoking the definition of “College of Pharmacy”.

3. Practising fees—The principal regulations are hereby further amended by revoking regulation 19 (as substituted by regulation 2 of the Pharmacy Regulations 1944, Amendment No. 14 and amended by

*S.R. 1944/123

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

section 7 of the Decimal Currency Act 1964), and substituting the following regulation:

"19. The annual practising fee payable to the Society by every chemist shall be the sum of \$10.00:

"Provided that—

"(a) A chemist who satisfies the Registrar that he has attained the age of 65 years shall pay an annual practising fee of \$5.00:

"(b) A chemist who satisfies the Registrar that he is not resident in New Zealand shall pay an annual practising fee of \$5.00."

4. Abolition of certificates of competency—The principal regulations are hereby further amended—

(a) By revoking the heading, "PART VI—CERTIFICATES OF COMPETENCY AND REGISTRATION", and substituting the heading, "PART VI—REGISTRATION":

(b) By revoking regulation 20.

5. Approved schools—The principal regulations are hereby further amended by revoking regulation 22 (as substituted by regulation 2 of the Pharmacy Regulations 1944, Amendment No. 11), and substituting the following regulation:

"22. For the purposes of section 11 of the Act, the Central Institute of Technology and the University of Otago are hereby prescribed as approved schools."

6. Applications for registration—The principal regulations are hereby further amended by revoking regulations 23 and 23A, as substituted and inserted respectively by regulation 2 of the Pharmacy Regulations 1944, Amendment No. 11, and substituting the following regulation:

"23 (1). Unless in any case the Board otherwise decides, every applicant for registration under paragraph (a) of subsection (2) of section 11 of the Act shall produce to the Board—

"(a) A statutory declaration made by the applicant that—

"(i) He has attained the age of 21 years; and

"(ii) He has passed a prescribed examination entitling him to be registered as a chemist; and

"(iii) He has completed the prescribed period of practical training; and

"(b) His certificate of service of practical training in Form No. 2 in the Second Schedule hereto; and

"(c) Such other evidence in respect of the matters aforesaid as the Board may require or accept.

"(2) Every applicant for registration under paragraph (b) of subsection (2) of section 11 of the Act shall produce to the Board—

"(a) The recognised certificate or a duly authenticated copy thereof by virtue of which he seeks to be registered; and

"(b) Such evidence, by statutory declaration or otherwise, as the Board may require or accept that he has attained the age of 21 years and is the person referred to in the said certificate; and

"(c) Such evidence as the Board may require or accept that he is of good character and reputation.

"(3) Every applicant for registration under paragraph (c) of subsection (2) of section 11 of the Act shall produce to the Board—

- “(a) The certificate or diploma as a chemist or a duly authenticated copy thereof by virtue of which he seeks to be registered; and
- “(b) Such evidence, by statutory declaration or otherwise, as the Board may require or accept that—
- “(i) He has attained the age of 21 years; and
- “(ii) He is the person referred to in the said certificate or diploma; and
- “(iii) He intends to reside permanently in New Zealand; and
- “(c) Such evidence as the Board may require or accept that—
- “(i) He is of good character and reputation; and
- “(ii) His knowledge of the English language is adequate for the practice of the profession of pharmacy in New Zealand; and
- “(iii) He has undergone practical training in New Zealand under the conditions prescribed in regulation 34 and subclause (3) of regulation 35 of these regulations continuously for a period of six months (which, for the purposes of the application of the said subclause (3), shall be deemed to be the final six months) or for such shorter period as the Board may determine in any particular case; and
- “(iv) He has passed such part or parts of an examination referred to in regulation 29 of these regulations as he may be required by the Board to pass.”

7. Qualifications for registration—The principal regulations are hereby further amended by revoking Part VIII (as amended by regulation 3 of the Pharmacy Regulations 1944, Amendment No. 11), Part IX (as substituted by regulation 4 (1) of the Pharmacy Regulations 1944, Amendment No. 11 and amended by regulation 2 (1) of the Pharmacy Regulations 1944, Amendment No. 12 and regulations 3 and 4 of the Pharmacy Regulations 1944, Amendment No. 14), and Part X (as so substituted and amended by regulation 2 (1) of the Pharmacy Regulations 1944, Amendment No. 13), and substituting the following Parts:

“PART VIII—EXAMINATIONS

“**29. Prescribed examinations**—The following examinations and the courses of education and training therefor are hereby prescribed for the purposes of paragraph (a) of subsection (2) of section 11 of the Act:

- “(a) The Diploma in Pharmacy of the Central Institute of Technology;
- “(b) The Degree of Bachelor of Pharmacy of the University of Otago.

“**30. Restriction on sitting for Diploma examination**—No person shall present himself for any examination included in the course leading to the Diploma in Pharmacy unless he has obtained a qualification recognised by the Universities Entrance Board, constituted under section 38 of the Universities Act 1961, for admission to a university in New Zealand.

“**31. Assessors**—The Board may from time to time in respect of any final examination for the Diploma in Pharmacy 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 reach agreement with the examiners on the pass standard:

“Provided that should an assessor and an examiner fail to agree on any matter relating to any such examination the dispute shall be referred to an independent arbitrator appointed by the Council of the Central Institute of Technology, whose decision shall be final.

“32. Recognised certificates—For the purposes of paragraph (b) of subsection (2) of section 11 of the Act, the certificates of registration as a chemist granted by the appropriate authorities respectively empowered by legislation in that behalf in Great Britain, Northern Ireland, Eire, Queensland, New South Wales, Victoria, South Australia, Western Australia, and Tasmania are hereby prescribed as recognised certificates.

“PART IX—PRACTICAL TRAINING

“33. Period of practical training—For the purposes of paragraph (a) of subsection (2) of section 11 of the Act, the period of practical training required to be served by an applicant for registration shall be one year.

“34. Place of practical training—(1) Subject to subclause (2) of this regulation, the period of practical training shall be served under the direct personal supervision and as the sole pupil of a chemist in one or more of the following places—

“(a) A retail pharmacy:

“(b) The pharmacy department of an institution carried on by a Hospital Board under the Hospitals Act 1957:

“(c) The pharmacy department of a private hospital licensed under Part V of the Hospitals Act 1957, and approved in that behalf by the Board:

“(d) A manufacturing pharmaceutical establishment approved in that behalf by the Board:

“(e) The dispensary of a military establishment approved in that behalf by the Board.

“(2) The Board may from time to time at its discretion, by notice in writing to a chemist carrying on business or employed in any place referred to in subclause (1) of this regulation determine that practical training in that place will not, after a date to be stated in the notice being not less than one month after the date on which the notice is dispatched, be recognised for the purposes of these regulations, and may at any time revoke any such determination.

“35. Relationship between examinations and practical training—(1) The period of practical training shall not commence before the completion of the course of study for the First Professional Examination for the Diploma in Pharmacy or the Degree of Bachelor of Pharmacy as the case may require.

“(2) Not more than six months of practical training may be served prior to the date of completion of either of the examinations prescribed in regulation 29 of these regulations (hereinafter referred to as the graduation date).

“(3) Unless the Board otherwise approves, no period of less than two months in any one of the places referred to in subclause (1) of regulation 34 of these regulations shall be taken into account for the purpose of calculating the first six months of practical training, and the whole of the final six months of practical training shall be served continuously in one such place.

“(4) Unless the Board otherwise approves in any particular case, no period of practical training shall commence later than twelve months after the graduation date.

“(5) Any period of practical training served in terms of this regulation in or after 1967 by a person undertaking the course for the Degree of Bachelor of Pharmacy shall be deemed to be practical training for the purposes of this regulation.

“36. **Duties of chemist**—Every chemist under whom a person is serving a period of practical training pursuant to these regulations shall—

“(a) Record with the Board the name and business address of the chemist, and name and address of the person being trained and the commencing and terminating dates of each period of practical training:

“(b) During such period of practical training, to the best of his knowledge and skill, instruct that person in the art and profession of pharmacy, and direct such training according to any manual which may from time to time be issued by the Board for that purpose:

“(c) Make and give to that person at the termination of any period of practical training, a certificate in Form No. 2 in the Second Schedule hereto.”

8. Plant and equipment—The principal regulations are hereby further amended by revoking regulation 41 (as added by regulation 6 of the Pharmacy Regulations 1944, Amendment No. 14), and substituting the following regulation:

“41. The proprietor of every pharmacy shall at all times have and keep therein ready for use the plant and equipment described in the Third Schedule hereto.”

9. Fees—The principal regulations are hereby further amended by revoking the First Schedule (as amended by regulation 5 (1) of the Pharmacy Regulations 1944, Amendment No. 11 and section 7 of the Decimal Currency Act 1964), and substituting the Schedule contained in the First Schedule hereto.

10. Certificate of service of practical training—The principal regulations are hereby further amended by revoking Form No. 2 in the Second Schedule (as substituted by regulation 6 of the Pharmacy Regulations 1944, Amendment No. 11), and substituting the Form contained in the Second Schedule hereto.

11. List of plant and equipment—The principal regulations are hereby further amended by revoking the Third Schedule (as substituted by regulation 7 of the Pharmacy Regulations 1944, Amendment No. 11 and amended by regulation 7 (e) of the Pharmacy Regulations 1944, Amendment No. 14), the Fourth Schedule (as so substituted) and the

Fifth Schedule (as substituted by regulation 8 of the Pharmacy Regulations 1944, Amendment No. 14) and substituting, as the Third Schedule, the Schedule contained in the Third Schedule hereto.

12. Revocation—The regulations specified in the Fourth Schedule hereto are hereby revoked.

13. Savings—Notwithstanding the provisions of these regulations, the principal regulations shall continue to apply to such extent as may be necessary to give effect to subsection (2) of section 2 of the Pharmacy Amendment Act 1968 as if these regulations had not been made.

SCHEDULES

FIRST SCHEDULE Reg. 9

NEW FIRST SCHEDULE TO THE PRINCIPAL REGULATIONS

“FIRST SCHEDULE Reg. 6

FEES \$

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| 1. On application for registration (including certificate of registration if granted under section 11 of the Act) | 10.00 |
| 2. For reinstatement of name in register after being removed for any reason other than at the request of the chemist | 10.00 |
| 3. For reinstatement of name in register after being removed at the request of the chemist | 5.00 |
| 4. For inspection of any register, roll or document kept by the Board and open to inspection | 1.00 |
| Provided that no fee shall be payable by an officer of the Government seeking inspection in the course of his duties | |
| 5. For a duplicate of any certificate issued by the Board | 2.00” |

SECOND SCHEDULE Reg. 10

NEW FORM NO. 2 Regs. 23 (1) (c) and 36 (c)

“Form No. 2

CERTIFICATE OF SERVICE OF PRACTICAL TRAINING

This certifies that of has satisfactorily completed under my direct personal supervision, as my sole pupil the period(s) of practical training set out below:

Period(s) of Practical Training

Date Commenced	Date Terminated	Total Period
.....

Name and Address of Chemist

Signature: Date

Reg. 11

THIRD SCHEDULE

NEW THIRD SCHEDULE TO THE PRINCIPAL REGULATIONS

"THIRD SCHEDULE

Reg. 41

LIST OF PLANT AND EQUIPMENT

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

Three 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.

Three spatulas, steel or stainless, assorted sizes.

One spatula, bone, plastic, or ebonite.

One thermometer Centigrade to 200°.

One saucepan, enamel or stainless steel.

One water bath.

Three stirring rods.

One beaker.

One ointment slab.

One autoclave or alternative equipment for steam sterilisation.

One tablet-counting tray.

One label-moistening apparatus.

One water filter: candle type or equivalent.

Facilities for providing adequate hot water.

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

Books: Current editions of *British Pharmacopoeia*, *British Pharmaceutical Codex*, their addenda and supplements, the Acts and regulations relating to pharmacy, *British National Formulary*."

Reg. 12

FOURTH SCHEDULE

REGULATIONS REVOKED

Title	Serial Number
The Pharmacy Regulations 1944, Amendment No. 1	1945/122
The Pharmacy Regulations 1944, Amendment No. 5	1951/40
The Pharmacy Regulations 1944, Amendment No. 7	1955/134
The Pharmacy Regulations 1944, Amendment No. 9	1959/215
The Pharmacy Regulations 1944, Amendment No. 11	1962/85
The Pharmacy Regulations 1944, Amendment No. 12	1963/14
The Pharmacy Regulations 1944, Amendment No. 13	1963/207
The Pharmacy Regulations 1944, Amendment No. 14	1964/206

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Pharmacy Regulations 1944, and come into force on 1 January 1969.

Regulation 2 revokes the definition of the term "College of Pharmacy".

Regulation 3 increases the annual practising fee payable by a chemist to the Society from \$8.40 to \$10. The annual practising fee for chemists over 65 years of age, and chemists not resident in New Zealand is increased from \$4.20 to \$5.

Regulation 4 abolishes certificates of competency.

Regulation 5 prescribes the Central Institute of Technology and the University of Otago as approved schools.

Regulation 6 revokes regulations 23 and 23A and substitutes a new regulation 23 dealing with the procedure for applications for registration.

Regulation 7 revokes Parts VIII, IX, and X of the principal regulations and substitutes new Parts VIII and IX. The new Part VIII dealing with examinations prescribes the Diploma of Pharmacy of the Central Institute of Technology, and the Degree of Bachelor of Pharmacy of the University of Otago as examinations for the purposes of section 11 (2) (a) of the Pharmacy Act 1939. This part also empowers the Board to appoint assessors in respect of any final examination for the Diploma of Pharmacy and prescribes certain overseas certificates of registration as recognised certificates for the purposes of section 11 (2) (b) of the Act.

The new Part IX deals with the requirements of practical training, and prescribes conditions as to its duration, and the place at which and the person under whom it may be served.

Regulation 8 revokes regulation 41 of the principal regulation and substitutes a new regulation obliging the proprietor of a pharmacy to have and keep ready for use the plant and equipment described in the Third Schedule.

Regulation 9 revokes the First Schedule to the principal regulations and substitutes a new schedule of increased fees.

Regulation 10 substitutes a new form of certificate of service of practical training.

Regulation 11 revokes the Third, Fourth, and Fifth Schedules to the principal regulations and substitutes a new Third Schedule containing a new list of plant and equipment required in every pharmacy.

Regulation 12 revokes the regulations specified in the Fourth Schedule to the present regulations.

Regulation 13 is a savings clause.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 19 December 1968.

These regulations are administered in the Department of Health.