

1955/86

THE PHARMACY REGISTRATION REGULATIONS 1955

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 15th day of June 1955

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, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Pharmacy Registration Regulations 1955.

2. These regulations shall come into force on the day after the date of their notification in the *Gazette*.

3. The Registrar appointed under the Pharmacy Act 1939 shall compile and keep a register of pharmacies in accordance with these regulations.

4. Subject to the provisions of these regulations, every pharmacy shall be registered under the provisions of these regulations.

5. (1) Each proprietor of a pharmacy shall, in accordance with these regulations, apply in writing, in form 1 in the Schedule hereto, or to the like effect, to the Registrar for the registration of the pharmacy.

(2) The application shall be accompanied by the fee prescribed by regulation 8 hereof and shall contain the following particulars, that is to say:

- (a) The name of the proprietor of the pharmacy and, if there is an enrolled manager of the pharmacy, the name of the enrolled manager:
- (b) If the proprietors are a partnership firm, the names of the members of the firm and the firm name:
- (c) If the proprietor is a company, the names of the members thereof and the number of shares held by each shareholder, or, if the capital is not divided into shares, the extent of interest of each member in the capital of the company:
- (d) If the proprietor is a friendly society, the names of its trustees:

- (e) If the pharmacy is established or carried on with the consent of the Pharmacy Authority constituted under the Pharmacy Amendment Act 1954, the date of the consent and particulars of the conditions (if any) prescribed by the Authority;
- (f) If the pharmacy is established or first carried on on or after the 1st day of October 1954, the date of the establishment or commencement of business;
- (g) The situation of the pharmacy by reference to street and number or other sufficient description and, if the pharmacy consists of part only of a building, the definition or description of that part.

6. Each application for registration shall be accompanied by a statutory declaration verifying the truth of the statements contained in the application.

7. (1) The Registrar, on receipt of the application referred to in regulation 5 hereof, shall register the pharmacy in the register kept by him for the purpose and shall insert in the register the particulars contained in the application and the date of registration of the pharmacy.

(2) The registration of each pharmacy shall be effective from the date thereof until the 30th day of June next following:

Provided that the registration of a pharmacy established at the commencement of these regulations shall be effective until the 30th day of June 1956.

(3) Each registration shall be renewed each year on application for renewal made in writing by the proprietor to the Registrar and each renewal shall be effective until the next following 30th day of June.

8. There shall be paid by each applicant a fee of £1 11s. 6d. in respect of the initial registration of a pharmacy and a fee of £1 11s. 6d. in respect of each renewal of registration.

9. (1) Application to register any pharmacy established or being carried on at the date of the commencement of these regulations shall be made not later than the 15th day of July 1955.

(2) Where a pharmacy is established after the date of the commencement of these regulations, application to register the pharmacy shall be made not later than fourteen days after the date when business is commenced in the pharmacy.

(3) All applications for renewal of registration shall be accompanied by the fee referred to in regulation 8 hereof, and shall be made not later than the 30th day of June in each year.

10. On any change in the particulars required by regulation 7 hereof to be entered in the register in respect of any pharmacy, the proprietor shall forthwith give notice in writing to the Registrar who shall thereupon amend the said particulars in the register accordingly.

11. Where the proprietor of a pharmacy ceases to carry on therein the business of a pharmacy, he shall forthwith give notice in writing to the Registrar, who shall thereupon cancel the registration of the pharmacy.

12. The Registrar shall cause to be published in the *Gazette*, during the month of August in each year, a list of pharmacies for the time being registered under these regulations.

13. Upon registration of a pharmacy under these regulations, and upon each renewal of registration, the Registrar shall issue a certificate of registration under his hand in form 2 in the Schedule hereto.

14. Each proprietor of a pharmacy shall keep at the pharmacy available for inspection by any duly authorized officer of the Board the certificate of registration issued under these regulations in respect of the pharmacy.

15. (1) Subject to the provisions of these regulations, any person who carries on business in a pharmacy which is not registered under these regulations commits an offence against these regulations:

Provided that where any person has made application for registration or renewal of registration of a pharmacy in accordance with these regulations, the pharmacy, for the purposes of this subclause, shall be deemed to be registered.

(2) Any person who, in any application, statement, or notice required to be made or given under these regulations, knowingly makes any statement which is false or misleading in any material particular, or who wilfully fails to supply correctly any of the particulars required to be contained in the application referred to in regulation 5 hereof, commits an offence against these regulations.

(3) Any person who fails to comply with any provision of these regulations commits an offence against these regulations.

16. Any person who commits an offence against these regulations shall be liable, on summary conviction, to a fine not exceeding £10, or, in the case of a continuing offence, to a fine not exceeding £10 for every day on which any such offence is committed or continued.

SCHEDULE

Reg. 5 (1)

Form 1

FORM OF APPLICATION FOR REGISTRATION OF A PHARMACY

To the Registrar of the Pharmacy Board.

APPLICATION is hereby made for the registration of the pharmacy of which the applicant is proprietor, and in support of the application there is submitted the following particulars:

(1) *Proprietor*

(a) Name of proprietor:

(b) If proprietors are a partnership firm, the names of the members thereof and the firm name:

(c) If the proprietor is a company,—

(i) The name of the company:

(ii) The names of the members thereof and the number of shares held by each shareholder, or if the capital is not divided into shares, the extent of interest of each member in the capital of the company as hereunder:

Members	Number of Shares	or Extent of Interest

(d) If the proprietor is a friendly society,—

(i) The name of the society:

(ii) The names of its trustees:

SCHEDULE—*continued*

- (2) *Situation* of pharmacy by reference to street and number or other sufficient description and, if pharmacy consists of part only of a building, the definition or description of that part:
- (3) *Name of Enrolled Manager* (if any) of the pharmacy:
- (4) If pharmacy is established or carried on with consent of Pharmacy Authority, the date of the consent and particulars of the conditions (if any) prescribed by the Pharmacy Authority:
- (5) If pharmacy was established or first carried on on or after 1st day of October 1954, the date of establishment or commencement of business:

Signature of Applicant:

I, [*name, address, and description*] being the proprietor or the duly authorized agent of the proprietor or proprietors of the pharmacy above referred to do solemnly and sincerely declare that the statements made in the foregoing application are true and correct in every particular and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Justices of the Peace Act 1927.

Declared at this }
 day of 19..... }
 before me:

Reg. 13

Pharmacy Act 1939

Form 2

CERTIFICATE OF REGISTRATION OF PHARMACY

I,, the Registrar duly appointed under the provisions of the Pharmacy Act 1939, do hereby certify that the pharmacy of which is (are) the proprietor(s) and which is situate is registered pursuant to the provisions of the Pharmacy Act 1939 and the regulations made thereunder.

This certificate is in respect of the year ending 30th day of June 19....

Dated at Wellington this day of 19.....

....., Registrar.

T. J. SHERRARD,
 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 provide for the registration of pharmacies. Authority for the regulations was given in the Pharmacy Amendment Act 1954.

The regulations prescribe the particulars to be included in applications for registration and the fees payable in respect of registration and renewal of registration. Registration is to be effective for one year and each registration will require to be renewed yearly. Provision is made for correction and purging of the register. The regulations will be administered by the Pharmacy Board.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 June 1955.

These regulations are administered in the Department of Health.