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First Session Eighth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 25 of 2003

[L.S.]

AN ACT to amend the Pharmacy Board Act, Chap. 29:52

[Assented to 22nd September, 2003]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Pharmacy Board Short title
(Amendment) Act, 2003.

Interpretation
Chap. 29:52

2. In this Act “the Act” means the Pharmacy Board Act.

Section 2 amended

3. Section 2 of the Act is amended in the definition of “responsible pharmacist” by deleting the words “three years” and substituting the words “one year”.

Act amended

4. The Act is amended by inserting after section 16 the following:

“Functions of
registrar

16A. The registrar shall on the direction of the Council—

- (a) establish, keep and maintain the registers set out in section 17;
- (b) issue and revoke temporary licences, to practice pharmacy;
- (c) issue certificates of registration;
- (d) add and remove names from the registers set out in section 17;
- (e) receive fees for use by the Board; and
- (f) keep open the register for public inspection at all reasonable times on the payment of the prescribed fee.”.

Section 17 amended

5. Section 17 of the Act is amended by—

(a) inserting after paragraph (c) the following:

“(d) a register of all persons registered as pharmacy assistants, the name and the business address of the approved pharmaceutical establishment; and

(e) a register of all persons registered as pharmacy assistant trainees showing the name of the tutor, the name and address of the approved pharmaceutical establishment where the course of practical training is being accomplished;

(b) by deleting subsection (5) and substituting the following:

“ (5) The Registrar shall cause a copy of the registers to be lodged with the Council.

(6) The Council shall, on or before the 15th day of January in each year, cause to be printed and published in the *Gazette* a list in alphabetical order, of all persons and pharmacies named in the registers kept by the registrar with their addresses, as they appear in the register on the date specified in the list.

(7) Where the registrar has been directed by the Council under subsection (3), to register an applicant who is entitled to be registered under this Act, and he fails to do so, the applicant shall be entitled within twenty-one days of the direction being given, to be registered by the President of the Council.”.

6. The Act is amended by inserting after section 18D Act amended the following:

“Records of persons holding temporary licence

18E. The registrar shall keep in relation to a person holding a temporary licence to practice as a pharmacist, a record of—

- (a) the name and address of the person so licenced;
- (b) the time during which the licence shall remain in force; and
- (c) the nature, character of the aspect of pharmacy practice which may be performed.”.

Section 19A amended **7.** The Act is amended in section 19A in subsections (1) to (5) by inserting after the word “pharmacist” wherever it occurs, the words “or pharmacy assistant”.

Section 24 amended **8.** Section 24 of the Act is amended by inserting after subsection (3) the following:

“(4) Notwithstanding subsections (1) and (2), there may be attached to a pharmacy, such number of pharmacy assistants not exceeding the ratio of one responsible pharmacist to two pharmacy assistants who shall perform the following functions:

- (a) assist in the preparation and compounding of prescriptions, medication orders and ward stock;
- (b) receive, check and store stock, and check for expiry dates of all pharmaceuticals;
- (c) assist in entering prescription orders into the information system, whether electronic or paper-based;
- (d) prepare books or computer files for keeping records such as dangerous drugs, antibiotics, controlled drugs, general prescription books;
- (e) assist in the preparation of ward-patient, medication carts and deliver same;
- (f) co-ordinate with pharmacists in the preparation of up-to-date available drug lists for use by medical practitioners; and
- (g) assists in the pre-packaging of drugs, including solids, liquids, injectibles, ointments and creams.

(5) A Pharmacy Assistant referred to in subsection (4) shall—

- (a) have such appropriate training as may be prescribed by the Minister in Regulations; and
- (b) in carrying out his duties, at all times, be under the direct supervision of a pharmacist or responsible pharmacist.

(6) Nothing in this act shall be construed as permitting a pharmacy assistant to directly dispense any prescription to patients or clients or to provide counseling and or pharmaceutical care to a patient or client.”.

9. The Act is amended by inserting after section 24 Section 24A inserted the following:

“24A. Nothing in section 24 shall be construed as preventing a pharmacy assistant from assisting in—

- (a) the dispensing of prescriptions; and
- (b) the preparation or compounding of drugs, for retail.”.

10. The Act is amended in section 25 by inserting Section 25 amended after subsection (3), the following:

“(4) Any person not being a pharmacy assistant who takes and uses the title “pharmacy assistant” or any other title or symbol, calculated to suggest that he is recognised by law as a pharmacy assistant or is a person entitled to assist in the dispensing of prescriptions or the preparation of drugs for sale by retail, is guilty of an offence.

(5) Any pharmacy assistant who practices under any name other than that under which he is registered commits an offence.”.

Section 40 amended

11. The Act is amended in section 40—*(a)* in subsection (1)—

(i) by inserting after paragraph *(b)* the following new paragraph:

“*(bb)* the course of training to be followed by pharmacy assistants;”;

(ii) in paragraph *(e)* by deleting the words “and by pre-registration pharmacist” and substituting the words “, pre-registration pharmacists, pharmacy assistants and holders of temporary licences to practice;”; and

(iii) inserting after paragraph *(h)* the following:

“*(ha)* the issue of certificates of registration of pharmacy assistants;”;

(b) in subsection (2) by deleting the words “one thousand” and “six months” and substituting the words “five thousand” and “one year” respectively.

Section 41 amended

12. Section 41 of the Act is amended—

(a) in subsection (1) by deleting the words “two thousand”, “six months”, “five thousand” and “six months” and substituting the words “five thousand”, “one year”, “ten thousand” and “one year” respectively; and

(b) in subsection (2) by deleting the words “two thousand five hundred” and “twenty-five” and substituting the words “five thousand” and “one hundred” respectively.

Passed in the House of Representatives this 4th day
of July, 2003.

J. SAMPSON-JACENT

Clerk of the House

Passed in the Senate this 9th day of September, 2003.

D. DOLLY

Clerk of the Senate