

**Pharmacy**

Cap. 372D.

**PHARMACY (DISCIPLINARY PROCEDURE)  
REGULATIONS, 1986**

1986/80.

**Authority:** These regulations were made on 21st May, 1986 by the Council with the approval of the Minister under section 34 of the *Pharmacy Act*.

**Commencement:** 26th May, 1986.

1. These Regulations may be cited as the *Pharmacy (Disciplinary Procedure) Regulations, 1986*. Short title.

2. A complaint of professional misconduct against a pharmacist may be made in writing by an aggrieved person to the Council. Procedure for making complaint.

3. Upon receipt of a complaint under regulation 3 the Council shall forward a copy of the complaint to Procedure for dealing with complaint.

(a) the Drug Inspector who shall investigate the complaint and submit his findings to the Council within 1 month of the receipt thereof; and

(b) the pharmacist, against whom the complaint is made, within 7 days of the receipt thereof and the pharmacist may submit a written statement with respect to the complaint to the Council.

4. (1) Where the Drug Inspector has submitted his findings in accordance with paragraph (a) of regulation 3, the Council shall determine whether or not there is enough evidence to institute disciplinary proceedings. Procedure on receipt of findings.

(2) If the Council determines that no disciplinary proceedings shall be instituted, the Secretary shall inform the complainant, if any, and the pharmacist of that fact in such manner as the Council determines.

5. (1) Where the Council determines that disciplinary proceedings shall be instituted against a pharmacist, the Secretary shall serve a notice on the pharmacist which notice must specify Instituting disciplinary proceedings.

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(a) the full nature of the charge with respect to which the disciplinary proceedings will be held;

(b) the time and place at which the disciplinary proceedings will be held.

(2) Where there is a complainant a copy of the notice referred to in paragraph (1) must be submitted to that complainant.

(3) Except with the consent of the pharmacist, no disciplinary proceedings may be commenced earlier than 30 days after the service of a notice under paragraph (1).

Procedure  
for the  
conduct of  
disciplinary  
proceedings.

6. (1) A pharmacist against whom disciplinary proceedings have been instituted

(a) is entitled to be represented by an attorney-at-law at such proceedings,

(b) shall be permitted to give evidence, call witnesses and make submissions orally or in writing on his own behalf,

(c) is entitled to receive free copies of or be allowed access to any documentary evidence relied upon for the purpose of the proceedings;

(d) is entitled, upon request, to a copy of the evidence, including copies of all documents tendered in evidence, at the conclusion of the proceedings,

(e) is entitled, upon request, to an adjournment if the request is reasonable having regard to all the circumstances.

(2) Where the pharmacist does not appear at the date fixed for the commencement of the disciplinary proceedings, the Council may, if it is satisfied that the notice has been served on the pharmacist, proceed with the proceedings in his absence.

(3) At the conclusion of the disciplinary proceedings the Council shall, having regard to all the evidence, either

(a) exonerate the pharmacist; or

(b) impose any of the penalties specified in section 20 of the Act.

Communica-  
tion of  
decision.

7. (1) Subject to paragraph (2), the Council shall, in writing, communicate to the pharmacist and the complainant, if any, its decision in respect of the disciplinary proceedings.

(2) The Council shall in the communication referred to in paragraph (1) inform the pharmacist, if he is aggrieved by the decision of the Council, of his right to appeal to a Judge in Chambers within 3 months of the decision.

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