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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY OF PAKISTAN

Islamabad, the 8th February, 1973

The following Act of the National Assembly received the assent of the President on the 7th February, 1973, and is hereby published for general information :—

ACT No. XXII OF 1973

An Act to amend the Pharmacy Act, 1967

WHEREAS it is expedient to amend the Pharmacy Act, 1967 (*XI of 1967*), for the purposes hereinafter appearing :

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the **Pharmacy (Amendment) Act, 1973**.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XI of 1967.**—In the Pharmacy Act, 1967 (*XI of 1967*), hereinafter referred to as the said Act, in section 2, for clauses (e), (f) and (g) the following shall be substituted, namely :—

“(c) ‘Pakistan Pharmacists Association’ means the association registered under the Societies Registration Act, 1860 (*XXI of 1860*), and known at the commencement of the Pharmacy (Amendment) Act, 1973, by that name ;

(f) ‘Pharmacist’ means a person who is registered under section 24 in Register A or Register B ;

(55)

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- (g) 'pharmacy institution' means an institution whose qualifications of pharmacy are recognised under this Act; and
- (h) 'Provincial Council' means the Pharmacy Council of a Province established under section 3."

3. Amendment of section 3, Act XI of 1967.—In the said Act, in section 3, in sub-section (1), for clause (b) the following shall be substituted, namely :—

"(b) each Provincial Government shall, in like manner, establish a Provincial Pharmacy Council to be known by the name of the Province concerned."

4. Amendment of section 4, Act XI of 1967.—In the said Act, in section 4,—

(a) in sub-section (1), for clauses (c), (d) and (e) the following shall be substituted, namely :—

"(c) eight persons, to be nominated by the Federal Government, out of whom one from each Province shall be nominated in consultation with the Provincial Government concerned, one shall be a teacher of pharmaceutics and one a teacher of pharmaceutical chemistry;

(d) one person from each Province, to be nominated by the Federal Government, so far as may be, in consultation with the Provincial Council concerned;

(e) one person, to be nominated by the Federal Government in consultation with the Pakistan Pharmacists Association; and

(f) the Drugs Controller, Government of Pakistan." ; and

(b) in sub-section (2), the words "so however that the number of persons to be nominated from each Province remains equal" shall be omitted.

5. Amendment of section 5, Act XI of 1967.—In the said Act, in section 5, in sub-section (1),—

(a) for clause (a) the following shall be substituted, namely :—

"(a) the Secretaries to the Provincial Governments in the Health Department, *ex-officio*, who shall, unless the Provincial Government appoints any other officer to be the President, also be the Presidents of the respective Councils"; and

(b) for clauses (c) and (d) the following shall be substituted, namely :—

"(c) five persons to be nominated by the Provincial Government, of whom one shall be an officer of that Government; and

(d) one person to be nominated by the Provincial Branch of the Pakistan Pharmacists Association."

6. Substitution of section 6, Act XI of 1967.—In the said Act, for section 6 the following shall be substituted, namely :—

"6. *Disqualification for membership.*—A person, other than a professor of a medical institution or a pharmacy institution or an officer of the Provincial Government nominated under clause (c) of sub-section (1) of section 5, shall not be eligible for nomination as a member of the Council unless he is a pharmacist registered in Register A :

Provided that, for the purpose of the constitution of the first Council after the commencement of the Pharmacy (Amendment) Act,

1973, a person who is qualified to be registered as a pharmacist under this Act shall be eligible for such nomination.”.

7. Amendment of section 13, Act XI of 1967.—In the said Act, in section 13,—

(a) in sub-section (2), for the word “ Board ” the word “ Council ” shall be substituted and shall be deemed always to have been so substituted ; and

(b) after sub-section (2) amended as aforesaid, the following new sub-section shall be added, namely :—

“(3) The quorum for a meeting of the Council shall be one-third of the total number of members, a fraction being counted as one.”.

8. Amendment of section 15, Act XI of 1967.—In the said Act, in section 15, in sub-section (1), after the word “ pharmacist ”, the words and letter “ in Register A ” shall be inserted.

9. Amendment of section 24, Act XI of 1967.—In the said Act, in section 24, in sub-section (1), for clauses (a) and (b) the following shall be substituted, namely :—

“(a) Register A—in which shall be registered the persons specified in clause (a) of sub-section (1) of section 25 ;

(b) Register B—in which shall be registered the persons specified in clauses (b) and (c) of the said sub-section ; and”.

10. Amendment of section 25, Act XI of 1967.—In the said Act, in section 25,—

(a) in sub-section (1), in clause (c), for the colon at the end a full stop shall be substituted and the proviso appearing thereafter shall be omitted ;

(aa) after sub-section (1), amended as aforesaid, the following new sub-section shall be inserted, namely :—

“(1A) Subject to the provisions of sub-section (3), during the period of one year from the commencement of the Pharmacy (Amendment) Act, 1973, a person who was, on the 19th day of June, 1972, to be deemed to be qualified for registration as a pharmacist shall be deemed to be so qualified.” and

(b) for sub-section (2) the following shall be substituted, namely :—

“(2) The following persons shall, subject to the provisions of sub-section (3), be qualified to be registered as an apprentice in pharmacy, namely :—

(i) an Inspector of Drugs and a Government Analyst appointed under the Drugs Act, 1940 (*XXIII of 1940*), if not otherwise eligible for registration ;

(ii) a person certified by a Government Hospital to be a qualified compounder and dispenser ;

(iii) a person who has been taken as a student or apprentice in pharmacy by, and produces a certificate to that effect from, a pharmacist registered in Register A and approved for the purpose, by notification in the official Gazette, by the Provincial Government ; and

- (iv) a person who is a qualified person within the meaning of rule 65 of the West Pakistan Drugs Rules, 1958. if not otherwise eligible for registration.”.

11. **Amendment of section 29, Act XI of 1967.**—In the said Act, in section 29, in sub-section (2), for the words “at least at three places in a Province” the words “at such place in a Province as the Provincial Council may decide” shall be substituted.

12. **Amendment of section 30, Act XI of 1967.**—In the said Act, in section 30,—

- (a) in clause (b), the comma and words “, or a qualifying examination in the English language and in general science held by the Provincial Council” shall be omitted; and
- (b) in the proviso, for the full stop at the end a colon shall be substituted and thereafter the following second proviso shall be added, namely :—

“Provided further that, notwithstanding anything contained in this Act, it shall not be necessary for any apprentice in pharmacy to attend any regular classes or to complete any number of days or lectures at any institution, for the purpose of being qualified to be admitted to an examination under section 29.”.

13. **Amendment of section 31, Act XI of 1967.**—in the said Act, in section 31,—

- (a) for sub-section (3) the following shall be substituted, namely :—
- “(3) Whoever contravenes the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or which both.”; and
- (b) in sub-section (4),—
- (i) in clause (d), the word “and” at the end shall be omitted;
- (ii) in clause (e), for the full stop at the end the semi-colon and word “; and” shall be substituted; and
- (iii) after clause (e) amended as aforesaid, the following new clause shall be added, namely :—
- “(f) an apprentice in pharmacy, during the period of four years from the commencement of the Pharmacy (Amendment) Act, 1973, or during such further period as the Federal Government may, by notification in the official Gazette, specify in this behalf.”.

14. **Saving.**—Nothing in this Act shall be deemed to affect the registration of any person who was registered under the said Act immediately before the commencement of this Act.

15. **Repeal.**—The Pharmacy (Amendment) Ordinance, 1972 (*XLIV of 1972*), is hereby repealed.

ASLAM ABDULLAH KHAN,

Secretary.