

# **Pharmacists Disciplinary Rules**

## **Table of Contents**

- 1 Citation**
- 2 Complaint against pharmacist**
- 3 Removal of name of pharmacist convicted of certain offence**
- 4 Procedure on receipt of complaint**
- 5 Statutory declaration**
- 6 Board's decision on further proceedings**
- 7 Board's representative**
- 8 Notice of inquiry**
- 9 Postponement of inquiry**
- 10 Pharmacist may have documents sent to Board**
- 11 Access to documents**
- 12 Inquiry not open to the public**
- 13 Evidence to be given under oath**
- 14 Pharmacist may appear in person or be represented**
- 15 Conduct of inquiry**
- 16 Findings of Board**
- 17 Postponed judgment**
- 18 Absence of a member of Board**

## **19 Inquiry into conduct of two or more pharmacists**

## **20 Penalties**

## **21 Removal of pharmacist's name from register**

### **Legislative History**

#### **PHARMACISTS REGISTRATION ACT (CHAPTER 230, SECTION 21)**

#### **PHARMACISTS DISCIPLINARY RULES**

**R 3**

**G.N. No. S 20/1981**

**REVISED EDITION 1990**

(25th March 1992)

[16th January 1981]

### **Citation**

- 1.** These Rules may be cited as the Pharmacists Disciplinary Rules.

### **Complaint against pharmacist**

- 2.—**(1) The Board shall consider every written complaint against a pharmacist.  
(2) The complaint may be a report —
  - (a) that the pharmacist has been convicted of an offence referred to in section 14 (1) (a) or (b) of the Act; or
  - (b) that his name should be removed from the register on a ground specified in section 14 (1) (c), (d), (e), (f) or (g).
- (3) Where a pharmacist is alleged to have committed an offence, the report may be submitted to the Board by the Registrar of the Supreme Court or the Subordinate Courts or an Inspector of the Ministry of Health.

### **Removal of name of pharmacist convicted of certain offence**

3.—(1) Where a pharmacist is convicted of an offence referred to in section 14 (1) (a) or (b) of the Act, the Board shall consider the record of the proceedings of the court.

(2) The Board may, if it is of the opinion that the name of the pharmacist should be removed from the register, remove his name from the register after he has been given a reasonable opportunity of being heard.

### **Procedure on receipt of complaint**

4.—(1) On receipt of a complaint against a pharmacist, the Registrar shall send the pharmacist a copy thereof and a copy of any statutory declaration furnished under rule 5.

(2) The pharmacist shall be asked to give any explanation that he may wish to give to the Board.

### **Statutory declaration**

5.—(1) Where a pharmacist is alleged to have been guilty of an improper act or conduct, the Board shall not proceed further under these Rules unless there has been furnished to its satisfaction a statutory declaration made by the complainant.

(2) The statutory declaration shall state —

- (a) the name, address and occupation of the complainant;
- (b) the grounds of the complaint; and
- (c) the evidence of the alleged improper act or conduct.

(3) The Board may, in its discretion, waive the statutory declaration if the allegation is made by a public officer or the Board's solicitor.

### **Board's decision on further proceedings**

6.—(1) Where the Board, after considering the complaint and any statutory declaration furnished under rule 5 and any explanation given under rule 4(2), decides that —

- (a) no action be taken, the pharmacist concerned shall be informed accordingly by the Registrar;
- (b) a warning be given to the pharmacist, the Registrar shall issue a letter in such terms as the Board thinks fit;
- (c) the name of the pharmacist be removed from the register under section 14 (1) (c), (d), (e), (f) or (g) of the Act, the Board may direct that the name be

so removed; or

- (d) an inquiry be held, the Board shall inquire into the matter under these Rules.

(2) Before the Board directs that a name be removed from the register under paragraph (1)(c), the Board shall give the pharmacist a reasonable opportunity of being heard.

### **Board's representative**

7. For the purpose of an inquiry under these Rules, the Board may be represented by an advocate and solicitor or a public officer referred to in these Rules as the Board's representative.

### **Notice of inquiry**

8.—(1) Where the Board directs that an inquiry be held, the Board's representative shall serve on the pharmacist under inquiry a notice specifying —

- (a) the charge or charges preferred against the pharmacist; and
- (b) the time, date and place of the inquiry.

(2) An inquiry shall, except with the agreement of the pharmacist, be held not earlier than 28 days after the date of the notice.

(3) The notice shall be in such form as the Board thinks fit.

(4) The notice shall be sent to the pharmacist by registered post addressed to him at his last known address.

(5) Where there is a complainant, a copy of the complaint shall also be sent to him.

### **Postponement of inquiry**

9.—(1) The pharmacist under inquiry or the Board's representative may apply for a postponement of the inquiry.

(2) The Board may, in its discretion, postpone the inquiry to such later date as it may determine.

### **Pharmacist may have documents sent to Board**

10.—(1) The Board's representative shall, at the request of the pharmacist under inquiry, send to him a copy of every document relating to the matter under inquiry which is in the possession of the Board.