LAWS OF SOLOMON ISLANDS

CHAPTER 105

PHARMACY AND POISONS

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CHAPTER 105
PHARMACY AND POISONS

AN ACT TO CONTROL THE PRACTICE OF PHARMACY AND THE SALE AND
DISTRIBUTION OF POISONS

[28th July 1941]

5 of 1941
6 of 1953
7 of 1958
6 of 1967
LN 78 of 1973
LN 46A of 1978
LN 88 of 1978
LN 60 of 1981
LN 5 of 1988

PART I
PRELIMINARY

Short title

1. This Act may be cited as the Pharmacy and Poisons Act.

Interpretation
7 of 1958, s. 4
6 of 1967, sched
LN 46A of 1978

2. In this Act, unless the context otherwise requires—

"Board" means the Pharmacy and Poisons Board appointed under this Act;

"Chairman" means the Chairman of the Board appointed under this Act;

"Court" means the High Court;

"member" means a member of the Board constituted under this Act;
"poison" includes the several substances mentioned in the poisons list in Schedule B;

"qualified medical practitioner", "qualified dentist" and "qualified veterinary surgeon" means a medical practitioner, a dentist and a veterinary surgeon respectively holding a diploma or certificate entitling him to practise his profession in the United Kingdom or in any other country approved by the Minister;

"register" means the register of pharmacists registered under this Act;

"registered pharmacist" means a person registered under this Act;

"Under Secretary (Health), Ministry of Health and Medical Services" means the officer for the time being holding the office of Under Secretary (Health), Ministry of Health and Medical Services.

PART II
ADMINISTRATION

The Pharmacy and Poisons Board

3.—(1) For the purposes of this Act there is hereby constituted an authority to be called the "Pharmacy and Poisons Board".

(2) The Board shall be a body corporate with perpetual succession and a common seal and shall be capable of suing and being sued.

(3) All courts, judges and persons acting judicially shall take judicial notice of the seal of the Board affixed to any document and shall deem that it was duly affixed.

Members of Board

4.—(1) The Board shall consist of the Under Secretary (Health), Ministry of Health and Medical Services and of two members who shall be appointed from time to time by the Minister.

(2) The Under Secretary (Health), Ministry of Health and Medical Services shall be ex officio Chairman of the Board.

(3) The Chairman and one member shall form a quorum.

(4) The Chairman shall have an original vote and, in the event of equality of voting, a second or casting vote.

Meetings of the Board

5. All meetings of the Board shall be convened by the Chairman by notice in writing to the other members of the Board, specifying the time and place of meeting.

Board may summon person to attend and give evidence
6.—(1) For the purposes of this Act the Board may, by writing under the hand of the Chairman, summon any person to attend the meeting of the Board at a time and place named in the summons, and then and there to give evidence, and to produce any books, documents or writings in his custody or control which he is required by the summons to produce.

(2) The Board may in its discretion, on the application of any party to any proceedings before the Board, by writing under the hand of the Chairman, summon any person to appear as a witness before the Board.

Chairman may administer oath

7. The Chairman of the Board may administer an oath to any person appearing before the Board, whether the witness has been summoned or appears without being summoned before the Board, and may examine the witness upon oath.

Person failing to appear when summoned

8. If any person served with a summons to attend the Board fails without reasonable cause to attend the Board or to produce any documents, books or writings in his custody or control, which he was required by the summons to produce, he shall be guilty of an offence and shall be liable to a penalty of one hundred dollars.

Person refusing to make oath

9. If any person appearing as a witness before the Board refuses to be sworn, or to answer any question relevant to the proceedings before the Board put to him by any member thereof, he shall be guilty of an offence and shall be liable to a penalty of one hundred dollars:

Provided that nothing contained in this section shall render any person compellable to answer any question in respect of any matter which would have been protected from disclosure on the ground of privilege if the proceedings had been held in any court.

False testimony Member not liable for acts of Board

10. Any witness before the Board who knowingly gives false testimony touching any matter material to any inquiry shall be guilty of an offence, and shall be liable to a penalty of two hundred dollars or to imprisonment for twelve months.

Members not liable for acts of Board

11. The members of the Board shall not be personally liable for any act or default of the Board done or omitted to be done, in good faith, in administering this Act.

Fees

12.—(1) The Board may demand and collect, in advance, such fees as are prescribed.

(2) Such fees and all penalties and other moneys received or realised under this Act or under any rules made hereunder shall be paid into general revenue.
Power of search

13. Any person thereto authorised in writing by the Chairman may enter any premises in which any pharmacist or licensed seller of poisons or medicines is carrying on business and may examine any books, papers, records or writings, drugs or medicines, whether patent or otherwise, or any article stored or offered for sale or used in the business.

Secretary and inspectors

**LN 46A of 1978**

14.—(1) The Minister may appoint from time to time a secretary to the Board.

(2) The Minister may appoint inspectors for the purposes of enforcing the provisions of this Act or any rules made thereunder.

Powers of inspectors

15. For the purposes of enforcing the provisions of this Act or rules made hereunder, any inspector so appointed shall have the power at all reasonable times to enter upon the premises of any registered pharmacist or licensed seller of poisons or medicines and to inspect any books, papers, records or writings, drugs or medicines, whether patent or otherwise, or any article stored or offered for sale or used in the business; and shall have the power at all reasonable times to enter any premises in which he has reasonable cause to suspect that a breach of the law has been or is being committed, and to make such examination and inquiry and to do such other things (including the taking, on payment therefor, of samples) as may be necessary for the purpose of ascertaining whether the provisions aforesaid are being complied with.

PART III

PHARMACISTS

Register of Pharmacists

16. The Board shall keep a register to be called the "Register of Pharmacists".

Pharmacists how registered

17.—(1) A person shall be registered by the entry in the register of his name and such other particulars relating to him as are prescribed.

(2) Every such entry in the register shall be signed by the Registrar of the Board.

(3) The Under Secretary (Health), Ministry of Health and Medical Services shall be the Registrar.

Persons eligible for registration

*7 of 1958, s. 2*
18.—(1) Subject to the provisions of this Act any person who is of good fame and character and who has passed the final examination of the Pharmaceutical Society of Great Britain or Northern Ireland, may be registered under the provisions of this Act.

(2) The Board may in its discretion, admit to the register any person who holds a pharmaceutical qualification other than that referred to in sub-section (1).

(3) No person shall be registered unless he has attained the age of twenty-one years.

**Board may direct examination of applicant**

*LN 46A of 1978*

19.—(1) The Board may direct that any person applying for registration as a pharmacist shall pass an examination and for that purpose may appoint an Examination Board consisting of the Under Secretary (Health), Ministry of Health and Medical Services as Chairman and of one or more members who shall be registered as pharmacists.

(2) The Board, by rules made under this Act with the approval of the Minister, may prescribe fees for such examination not exceeding ten dollars.

**Registration of applicants**

20. When any person has applied to be registered and has proved to the satisfaction of the Board—

(a) that he has attained the age of twenty-one years;

(b) that he is entitled to be registered by virtue of compliance with the requirements mentioned in sections 18 or 19; and

(c) that the certificate or diploma testifying to his qualification was, after examination, duly obtained by him from such a Society, Board or College as is specified in section 18; and that in the period in which he has held the certificate or diploma, his name has not been removed from the register of any country, Dominion or State for any cause which would on its happening disqualify him from being registered under this Act,

the Board shall cause the person to be registered, by entering in the register his name and such other particulars as may be prescribed, and issue to him, upon payment of the prescribed fee, a certificate in the prescribed form.

**Appeal against refusal of Board to register**

21.—(1) If the Board refuses to register any person under this Act, the Board shall, if required by such person, state in writing the reasons for such refusal.

(2) Such person may thereupon appeal to the Court.

(3) An appeal under this section shall be by way of special case on any question of fact or law, and the Board shall, if the Court so orders, register the said person.
Copy of register to be published

22.—(1) During the month of January in each year the Board shall cause to be published in the Gazette a true copy of the register.

(2) A copy of the register so published shall be prima facie evidence of the registration of the persons named therein.

Fraudulent representation

23. Any person who procures himself to be registered under this Act by means of any false or fraudulent representation or by the production of any false certificate or diploma shall be guilty of an offence and shall be liable to a penalty of two hundred dollars or to imprisonment for six months.

Amendments may be made in register

24. Any registered pharmacist who obtains or already possesses any higher degree, or any qualification other than the one qualification in respect of which he is registered, may have such higher degree or additional qualification entered in the register without payment of any additional fee.

Notification of change of address or death

LN 46A of 1978

25.—(1) Any registered pharmacist who changes his professional address shall forthwith give notice of the fact in writing to the Chairman.

(2) The Minister, upon receipt of a copy of the certificate of death of any pharmacist, shall cause notice thereof to be given in writing to the Chairman.

Correction of register

26.—(1) The Board shall remove from the register the name of any registered pharmacist who has died and may make such alterations and amendments in the register as it thinks fit.

(2) The Board may, by notice in writing to any registered pharmacist addressed to him by registered post according to his address in the register, inquire whether he has changed his address or residence, and if an answer is not returned to such notice within six months after the date of the posting thereof, the Board may remove the name of such person from the register.

(3) The name of any registered pharmacist removed from the register under this Part of this Act be restored by the Board.

Corporate body may carry on business of pharmacist

27.—(1) Subject to the provisions of this section, a body corporate carrying on a business which comprises the retail sale of drugs shall be an authorised seller of poisons, within the meaning of this Act, if the following conditions are complied with—
(a) the business shall, so far as concerns the keeping, dispensing and compounding of drugs and poisons, be under the management of a superintendent in relation to whom the following requirements are fulfilled—

(i) he shall be a registered pharmacist;

(ii) a statement in writing, signed by him on behalf of the body corporate, stating his name and stating whether or not he is a member of the board of directors shall have been sent to the Registrar;

(iii) he shall not be acting at the time in a similar capacity for any other body corporate; and

(b) in each set of premises where the business is carried on, the business shall, so far as concerns the retail sale of drugs, if not under the personal control of the superintendent, be carried on, subject to the directions of the superintendent under the personal control of a manager or assistant who is a registered pharmacist; and

(c) the name and the certificate of registration of the person having the control of the business as aforesaid, whether he is the superintendent or some other person, shall be conspicuously exhibited in the premises.

(2) Notwithstanding the restrictions imposed by the provisions of this Act on the use of certain titles, emblems and descriptions, a body corporate which is an authorised seller of poisons may, if all the members of the board of directors are registered pharmacists, use the description of "chemist and druggist", or of "chemist", or of "druggist", or of "dispensing chemist", or of "dispensing druggist"; and may use the description of "pharmacy" in connection with the business:

Provided that nothing in this subsection shall authorise the use of any of the said descriptions in or upon any premises which are for the time being disqualified under this section from being registered in the register of premises, or in connection with any business so far as it is carried on in any premises so disqualified.

(3) If—

(a) a body corporate which is an authorised seller of poisons has been convicted of any offence under this Act; or

(b) any member of the board of directors, or any officer of that body, or any person employed by that body in carrying on the business, has been convicted of any such criminal offence or been guilty of any such misconduct as, in the opinion of the Board, renders him or would, if he were a registered pharmacist, render him unfit to be on the register,

the Board may inquire into the case and may, subject to the provisions of this Act, direct—
(i) that the body corporate shall cease to be an authorised seller of poisons and be disqualified for such period as may be specified in the direction from being an authorised seller of poisons; or

(ii) that any or all of the premises of the body corporate shall be removed from the register of premises and be disqualified, for such period as may be specified in the direction, from being registered therein.

(4) If the Board thinks fit in any case so to do, it may, either on its own motion or on the application of the body corporate concerned, direct that any disqualification imposed under this section shall cease:

Provided that where an appeal has been brought to the Court against a direction involving a period of disqualification, a direction under this subsection for a cesser of any disqualification subsisting by virtue of the direction as originally given, shall not take effect unless approved by the Minister.

(5) Any body corporate which has been disqualified in pursuance of this section may appeal by way of special case to the Court on any question of fact or law affecting the aforesaid disqualification, and the Board shall, if the Court so orders, set aside or modify the disqualification.

LN 46A of 1978

(6) The body corporate shall pay for each separate set of premises a licence fee of ten dollars.

PART IV
CONDUCT OF BUSINESS AS PHARMACIST

Grounds of removal of name from register

28.—(1) The Board shall remove from the register the name of any person—

(a) whose registration has been obtained by fraud or misrepresentation;

(b) who has ceased to possess, or does not possess, the qualifications in respect of which he was registered;

(c) who has been convicted in any part of Her Majesty's dominions, or elsewhere, of an indictable offence, or of any other offence which in the opinion of the Board renders him unfit to practise;

(d) who has been certified to be of unsound mind; or

(e) who is deemed by the Board guilty of—

(i) habitual drunkenness or habitual addiction to any drug;

(ii) such improper conduct as in the opinion of the Board renders him unfit to be allowed to continue to practise as a pharmacist.
(2) If the Board removes the name of any person from the register, it shall, if so required by him, state in writing the reason for the removal.

(3) Any person whose name has been removed from the register in pursuance of this section may appeal, by way of special case as aforesaid, to the Court to have his name restored to the register, and the Board shall, if the Court so orders, restore his name to the register.

Inquiry by the Board

29.—(1) Before removing from the register the name of any person, the Board shall make due inquiry, and such person may be represented by counsel, attorney or agent, who may examine witnesses and address the Board on his behalf.

(2) Pending the hearing of a charge against any person, the Board may suspend the registration of that person, who shall thereupon cease to practise.

Surrender of certificate of registration

30. Any person whose name is removed from the register under section 28 shall, within fourteen days after the posting of a notice demanding the return of his certificate of registration, surrender his certificate to the Board for cancellation; and any person who fails so to do shall be liable to a penalty of ten dollars for every day after the period of fourteen days during which the certificate is not returned.

Persons other than registered pharmacists not to carry on business

31.—(1) Any person other than a registered pharmacist who carries on, or attempts to carry on, in any place or on any occasion, the business of a pharmacist, or pretends to be a pharmacist, or assumes or uses the title of pharmaceutical chemist, pharmacist, druggist, homeopathic chemist, dispensing chemist, or of member of any Pharmaceutical Society or Board, or takes or uses, in connection with the sale of goods, the title of chemist, shall be guilty of an offence, and shall be liable to a penalty of one thousand dollars.

(2) No person shall use, in connection with any business, any title, emblem or description reasonably calculated to suggest that he, or anyone employed in the business, possesses any qualification with respect to the selling, dispensing or compounding of drugs or poisons, other than the qualification which he in fact possesses.

For the purposes of this subsection the use of the description "pharmacy", in connection with a business carried on on any premises, shall be deemed to be reasonably calculated to suggest that the owner of the business and the person having the control of the business on these premises are registered pharmacists.

(3) If any person acts in contravention of the foregoing provisions of this section, he shall be liable, in respect of each offence, to a fine of one thousand dollars, and in the case of a continuing offence, to a further fine of fifty dollars for every day, subsequent to the day on which he is convicted of the offence, during which the offence continues.

Death, unsoundness of mind or bankruptcy of pharmacist
32.—(1) Subject to the provisions of this section, if a registered pharmacist who is an authorised seller of poisons dies, or becomes of unsound mind, or is adjudged bankrupt, or enters into any arrangement with his creditors, any representatives who thereafter carry on his business in accordance with the conditions hereinafter specified and are persons in relation to whom the requirements of this section are satisfied, shall, for the purposes of that business and during the period specified in subsection (4), be authorised sellers of poisons within the meaning of this Acts, and be entitled to use, in conjunction with the business name of the pharmacist, such titles, emblems and descriptions as might have been used by the pharmacist.

(2) The conditions referred to in subsection (1) are as follows—

(a) in each set of premises where the business is carried on, the business, so far as concerns the retail sale of drugs, must be under the personal control of a registered pharmacist; and

(b) the name and certificate of registration of the person having the control of the business as aforesaid must be conspicuously exhibited in the premises.

(3) The requirements to be satisfied under subsection (1) in relation to the representatives are, that their names and addresses must be registered with the Registrar together with a statement of the name of the pharmacist whose representatives they are.

(4) The period referred to in subsection (1) shall be—

(a) in the case of the death of a pharmacist, a period of five years from the date thereof;

(b) in the case of the unsoundness of mind or bankruptcy of a pharmacist, a period of three years from the date when he became of unsound mind or was adjudged bankrupt;

(c) in the case of an arrangement with the creditors of a pharmacist, a period of three years from the date when the representatives became entitled thereunder to carry on his business,

or such longer period as, on the application of the representatives, the Board may, having regard to all the circumstances of the case, think fit to direct.

(5) If a representative, or a person employed by the representatives in the carrying on of the business, has been convicted of any such criminal offence or been guilty of any such misconduct as, in the opinion of the Board, renders him, or would, if he were a registered pharmacist, render him unfit to be on the register, the Board, after making inquiry into the case, may, subject to the provisions of this Act, direct that the representatives shall cease to be authorised sellers of poisons, and cease to be entitled to use the titles, emblems and descriptions which might have been used by the pharmacist.

(6) In this section the expression "representative" means an executor, administrator, trustee or committee, or a person authorised to exercise, in relation to a person of unsound mind not so found by inquisition, any of the powers of a committee, and, in respect of the period of three
months after the death of a pharmacist leaving no executor who is entitled and willing to carry on his business, any person beneficially interested in the estate of the pharmacist.

**Name of pharmacist to be exhibited**

33. Every pharmacist and every person or assistant under whose conduct or management the business of a pharmacist is carried on, shall have his name legibly painted or written and continually so maintained on a conspicuous place on the front of the building where the business is carried on.

**Only pharmacists to dispense**

*LN 88 of 1978*

34. Save as hereinafter provided, no person other than a registered pharmacist or a bona fide assistant to a registered pharmacist, under the immediate and personal supervision and control of a registered pharmacist, shall dispense or compound, for fee or reward, any drug or medicine.

**Temporary licence**

35.—(1) The Board may, upon the application of any registered pharmacist, issue a temporary permit to a pharmacist who possesses the qualifications mentioned in section 18, to act as locum tenens for such registered pharmacist for a period of three calendar months from the date of issue of the permit.

(2) The Board may renew any such permit for a further period of three months, but not for any longer period.

(3) The Board shall prescribe fees for such permit.

**Prescriptions to be signed**

36.—(1) A medical practitioner shall not issue a prescription unless the prescription is signed by him with his usual signature, or is written on paper on which is printed his surname and the initials of his Christian names, and bears the date on which the prescription was issued.

(2) A prescription issued by a qualified veterinary surgeon shall, in addition to fulfilling the conditions laid down in the preceding subsection, bear the words "for veterinary purposes only".

(3) A prescription issued by a qualified dentist shall, in addition to fulfilling the conditions laid down in subsection (1), bear the words "for dental purposes only".

(4) A prescription which does not comply with the provisions of this section shall not be accepted by any pharmacist as authority for the sale or supply of any medicine or drug.

**Record of prescriptions**
37.—(1) Every pharmacist shall, as prescribed, record in a book (hereinafter called the "prescription book") to be kept by him for that purpose, every prescription of any medical practitioner dispensed, compounded or made up or supplied by him.

(2) Every prescription, whether issued by a qualified medical practitioner, qualified veterinary surgeon or qualified dentist, containing any of the drugs to which any Act as to the sale of dangerous drugs, for the time being in force, relates, shall be retained in the custody of the pharmacist dispensing the same for a period of two years and filed in the pharmacy.

(3) The prescription book shall be open for inspection by any inspector appointed under section 14.

Conduct of business by pharmacist

38. A pharmacist shall not—

(a) keep or maintain any shop for selling or supplying medicines or drugs or for dispensing or compounding prescriptions, unless such shop is, while open for business, constantly under his own control or that of some other registered pharmacist as an assistant or agent of a registered pharmacist;

(b) permit any person, other than a bona fide assistant or apprentice in the course of his employment and under the actual personal supervision of a registered pharmacist, to sell, supply, compound or dispense medicines or drugs;

(c) permit any person, other than a registered pharmacist, to dispense or compound any prescription or supply any medicine or drugs containing any of the dangerous drugs to which subsection (2) of section 37 relates;

(d) carry on business except under the actual personal supervision of himself or some other registered pharmacist;

(e) practise pharmacy except under his own name;

(f) adopt the title "Consulting Chemist";

(g) give medical or surgical advice or aid, except in his place of business and—

(i) in the case of simple ailments of common occurrence;

(ii) in the administration of antidotes in the case of acute poisoning;

(iii) in the application of immediate aid in cases of accident or injury; or

(iv) in urgent cases under the direct instructions of a qualified medical practitioner;

(h) allow his name to be used in connection with the practice of pharmacy at any premises at which there is not a registered pharmacist in continual attendance; or
(i) aid or assist any person other than a registered pharmacist to practise pharmacy, except in accordance with the provisions of this Act.

Medical practitioners, veterinary surgeons and dentists may dispense
6 of 1967, Sched

39. Every medical practitioner, qualified veterinary surgeon or qualified dentist may dispense or compound any medicine or drugs for patients or animals without becoming a registered pharmacist, provided that a true and faithful record is made of every such prescription in the prescription book, which shall be open for inspection by any inspector or person duly authorised by the Board for that purpose.

Automatic machines for vending medicines prohibited

40.—(1) Any person who—

(a) installs any automatic machine for the sale or supply of any drug or medicine, or allows, permits or suffers any such automatic machine to be so installed;

(b) sells or supplies any drug or medicine by means of any such automatic machine;

(c) allows, permits or suffers any person to purchase or be supplied with or otherwise obtain any drug or medicine by means of any automatic machine,

shall be guilty of an offence, and shall be liable to a penalty of forty dollars, and in the case of a continuing offence, to a further penalty of ten dollars for every day, subsequent to the day on which he is convicted of the offence, during which the offence continues.

(2) For the purpose of the last preceding subsection, "automatic machine" means any machine or mechanical device used or capable of being used for the purpose of selling or supplying goods without the personal manipulation or attention of the seller or of his employee or other agent at the time of the sale or supply.

Restrictions on supply of certain medicines

41.—(1) Any person other than a qualified medical practitioner or a person acting under the direct instructions of such medical practitioner, who attends upon, prescribes for, or supplies any article as a drug, medicine, instrument or appliance to, any person for the alleviation, cure or treatment of any venereal disease, whether in fact such person is suffering from such disease or not, or of any disease affecting the generative organs or functions, or of sexual impotence, or of any complaint or infirmity arising or relating to sexual intercourse, or of female or menstrual irregularities, or for the purpose of terminating pregnancy, or of influencing the course of pregnancy, shall be guilty of an offence, and shall be liable to a penalty of two hundred dollars.

(2) Nothing in this section shall apply to—

(a) a registered pharmacist who dispenses to the patient of a qualified medical practitioner the prescription of such medical practitioner, if the prescription is dated
and bears the address and the usual signature (including the surname) of the practitioner; or

(b) a registered pharmacist who, in the ordinary course of his business, sells or supplies any article as a drug, medicine, instrument or appliance (except such drugs, medicines, instruments or appliances as are prescribed), provided such drug, medicine, instrument or appliance is sold or supplied by such pharmacist for purposes other than those prescribed by this section.

Certain advertisements prohibited

42.—(1) No person shall publish any statement, whether by advertisement or otherwise, to promote the sale of any article as a medicine, instrument or appliance for the alleviation or cure of any venereal disease, or disease affecting the generative organs, or of sexual impotence, or of any complaint or infirmity arising from or relating to sexual intercourse, or of female or menstrual irregularities, or for terminating pregnancy, or for influencing the course of pregnancy, or for preventing conception.

(2) Any person who—

(a) affixes or inscribes any statement or any thing whatsoever so as to be visible to persons being in, or passing along, any street, road, highway, pathway, public place or public conveyance;

(b) delivers or offers or exhibits any statement to any person being in, or passing along, any street, road, highway, pathway, public place or public conveyance;

(c) throws any statement into or upon any street, road, highway, pathway, public place or public conveyance, or into the area, yard, garden or enclosure of any house;

(d) exhibits any statement to public view in any house, shop or place;

(e) prints or publishes any statement in any newspaper; or

(f) sells, offers or shows, or sends by post, any statement to any person,

shall be deemed to have published such statement.

(3) The word "statement" includes any document, book, or paper containing any statement.

(4) Any person who for himself or as assistant, servant, agent or manager does or permits any act, matter or thing contrary to this section or any part thereof, shall be guilty of an offence and shall be liable to a penalty of two hundred dollars.

(5) Nothing in this section shall apply to any books, documents or papers published in good faith for the advancement of medical or surgical science, or to any advertisement, notice or recommendation published by the authority of the Under Secretary (Health), Ministry of Health and Medical Services or to any publication sent only to qualified medical practitioners or registered pharmacists for the purpose of their business.

LN 88 of 1978
43. The British Pharmacopoeia as published in England under the direction of the General Council of Medical Education and Registration of the United Kingdom, in the edition for the time being in force, shall be the Pharmacopoeia in force in Solomon Islands as the standard of quality or composition for all drugs or medicines, and for the method of preparation of all drugs or medicines, and of compounding of all mixtures thereof; and for the purposes of this Act, the metre and the gramme shall be accepted respectively as legal units of measure and weight.

PART V
SALE AND SUPPLY OF MEDICINES

Sale of drugs or medicines

44.—(1) It shall not be lawful for any person who is not a registered pharmacist, or the assistant manager or bona fide apprentice of a registered pharmacist, to sell by retail any drug or medicines whatsoever, whether protected by letters patent, whether Imperial or Colonial, or not, except as prescribed by this Act.

(2) Nothing in this Act contained shall be construed to prohibit any licensed storekeeper from selling any of the articles mentioned in Schedule A.

Schedule A

(3) The Minister may, on the advice of the Board, by order add articles to or delete articles from Schedule A.

Medicine licence

7 of 1958, s. 3

45.—(1) The Board may, on the application of any licensed storekeeper, grant such person a licence, to be called a Medicine Licence, to sell such articles as the Board deems fit:

Provided that no such licence shall be granted to sell any of the drugs or medicines to which the provisions of subsection (2) of section 37 apply.

(2) Such licence shall be granted for a period not exceeding twelve months and may be renewed.

(3) The Board shall prescribe fees for such licence.

(4) The licence shall be in the form prescribed by rule hereunder and shall state clearly the names of all articles which the licensee is permitted to sell.

(5) Every application for a licence under this section shall be accompanied by a report by the Provincial Secretary of the province in which the business is carried on.
Police to be notified of issue of licence
LN 88 of 1978

46. Immediately on the granting of a licence the Board shall so inform the Provincial Secretary or officer in charge of Police of that province in which the licence has been granted.

Only drugs mentioned in licence may be sold

47. A holder of such licence may sell or supply, or cause or suffer to be sold or supplied by his assistant or manager, only such drugs or medicines as, by virtue of such licence, he is entitled to sell or supply. Any person acting in contravention of this section shall be guilty of an offence and shall be liable to have his licence cancelled, and also to a penalty of forty dollars, and in the case of a continuing offence to a further penalty of ten dollars for every day, subsequent to the day on which he is found guilty of such offence, during which the offence continues.

Sale by wholesale of medicines or drugs

48. It shall not be lawful for any person to sell any drug or medicine by wholesale to any person who does not possess a licence for the sale by retail of such drug or medicine.

Importation of drugs or medicines

49.—(1) It shall not be lawful for any person to import for sale by retail any drug or medicine which under his licence he is not entitled to sell or supply.

(2) Any drug or medicine imported in contravention of this section shall be liable to confiscation and shall be disposed of in such manner as the Comptroller of Customs and Excise may direct.

(3) Any person importing or attempting to import any drug or medicine in contravention of this section shall be guilty of an offence and shall be liable to a penalty of twenty dollars, and for a subsequent offence, to a penalty of two hundred dollars or to imprisonment for six months.

(4) The provisions of the Customs and Excise Act shall apply to proceedings under this section.

Cap. 121

Labels on medicines imported
LN 88 of 1978

50. All medicines imported into Solomon Islands shall state on the label affixed to the container the percentage of proof spirit, if any, which the medicine contains; and in the case of a medicine containing a poison as one of the ingredients, such label shall state the proportion which the poison contained in the preparation bears to the total contents. In the case of such proportion being stated as a percentage, the statement shall indicate whether the percentage is weight in weight, weight in volume or volume in volume.
Importation of certain drugs or appliances may be prohibited
LN 46A of 1978
LN 88 of 1978

51. If in the opinion of the Under Secretary (Health), Ministry of Health and Medical Services any drug, instrument or appliance brought into Solomon Islands is or is likely to be injurious to the health or well-being of any person, he may certify in writing to the Comptroller of Customs and Excise that the same should not be allowed to be imported:

Provided that this section shall not apply to drugs, medicines, instruments or appliances imported by qualified medical practitioners, registered pharmacists, qualified veterinary surgeons or qualified dentists for bona fide medical, veterinary or dental treatment.

PART VI
POISONS

Importation and sale of poisons

52.—(1) It shall not be lawful for any person to import any poison except under a licence issued by the Board:

Provided that this subsection shall not apply to the importation of poisons by qualified medical practitioners, registered pharmacists, qualified veterinary surgeons or qualified dentists for bona fide medical, veterinary or dental treatment.

(2) It shall not be lawful for any person to sell or deal in any of the several articles included in Schedule B hereto hereinafter referred to as the "Poisons List", except in the manner prescribed in this Act.

Schedule B

(3) The Minister may from time to time by order declare that any article named therein shall be deemed a poison within the meaning of this Act and be added to Part I or Part II of the Poisons List, as may be by such order directed.

LN 46A of 1978

(4) Any such order shall be published in the Gazette and on the expiration of three months from publication thereof, the article named therein shall be deemed to be added to such part of the said Schedule as may be directed in the order.

(5) Any person acting in contravention of this section shall be liable to a penalty of two hundred dollars, and in the case of a continuing offence, to a further penalty of ten dollars for each day, subsequent to the day on which he is convicted, during which the offence continues.

Pharmacists to be authorised sellers of poisons

53. For the purposes of this Act all registered pharmacists shall be authorised sellers of poisons and may, subject to the provisions of this Act, sell and deal in poisons.

Poisons Licence
LN 88 of 1978
54. On the application of any holder of a retail store licence, and on payment of the prescribed fee, the Board may issue to such person a licence to sell poisons, hereinafter referred to as a "Poisons Licence", provided that—

(a) such application is accompanied by a report, signed by the Provincial Secretary of the Province in which such retail store is situated, certifying that the applicant is a fit and proper person to hold such licence;

(b) such licence shall only apply to one place of business;

(c) no licence shall be granted empowering the holder thereof to sell or deal in any poisons included in Part I of the Poisons List;

(d) such licence shall be for a period of twelve calendar months and may be renewed; and

(e) such licence shall state specifically the poisons or class of poisons which the holder is licensed to sell or deal in.

Register of premises

55. The Board shall keep a book to be called the "Register of Premises", which shall be in the form prescribed by rules hereunder, and in which shall be entered the addresses of all premises where drugs, poisons or medicines are licensed to be sold, and such other particulars as may be prescribed by such rules.

56.—(1) Subject to the provisions of this Part of this Act it shall not be lawful—Prohibition and regulations with respect to the sale of poisons

(a) for a person to sell any poison included in Part I of the Poisons List, unless—

(i) he is an authorised seller of poisons; and

(ii) the sale is effected on premises registered under section 55; and

(iii) the sale is effected by or under the supervision of a registered pharmacist;

(b) for a person to sell any poison included in Part II of the Poisons List, unless either—

(i) he is an authorised seller of poisons and the sale is effected on premises registered under section 55; or

(ii) he is the holder of a Poisons Licence and the sale is effected on premises registered under section 55;
(c) for a person to sell any poison, whether included in Part I or Part II of the Poisons List, unless the container of the poison is labelled in the prescribed manner—

(i) with the name of the poison; and

(ii) in the case of a preparation which contains a poison as one of the ingredients, with the prescribed particulars as to the proportion which the poison contained in the preparation bears to the total ingredients; and

(iii) with the word "poison" or other prescribed indication of the character of the article; and

(iv) with the name of the seller of the poison and the address of the premises on which it was sold.

(2) Subject to the provisions of this Part of this Act and to any rules made under this Act dispensing with or relaxing any of the requirements of this subsection—

(a) it shall not be lawful to sell any poison in Part I of the Poisons List to any person, unless that person is either—

(i) certified in the manner prescribed by rules and by a person authorised by rules to give a certificate for the purposes of this section; or

(ii) known by the seller or by some registered pharmacist in the employment of the seller at the premises where the sale is effected,

provided that no poison shall be sold or delivered to any person under the age of twenty-one years;

(b) the seller of any such poison shall not deliver it until—

(i) he has made or has caused to be made an entry in a book to be kept for that purpose, hereinafter called the "Poisons Book", stating in the form prescribed by rules the date of the sale, the name and address of the purchaser and of the person, if any, by whom the certificate required under paragraph (a) of this subsection was given, the name and quantity of the article sold and the purpose for which it is stated by the purchaser to be required; and

(ii) the purchaser has affixed his signature to the entry aforesaid.

Exemption with respect to medicines

57.—(1) Nothing in the foregoing section shall apply—

(a) to a medicine which is supplied by a qualified medical practitioner for the purposes of medical treatment, by a qualified dentist for the purposes of dental treatment, or by a qualified veterinary surgeon for the purposes of animal treatment;
(b) to a medicine which is dispensed by a registered pharmacist at his place of business; or

(c) to a poison forming part of the ingredients of a medicine which is supplied by a registered pharmacist at his place of business:

Provided that the requirements contained in the following provisions of this section shall be satisfied in relation thereto.

(2) The medicine shall be distinctly labelled with the name and address of the person by whom it was supplied or dispensed.

(3) On the day on which the medicine was supplied or dispensed or, if that be not reasonably practicable, on the day next following that day, there shall be entered in the prescription book the following particulars—

(a) the date on which the medicine was supplied or dispensed;

(b) the ingredients of the medicine and the quantity thereof supplied;

(c) if the medicine was dispensed by a registered pharmacist the name or initials and, if it is known, the address of the person by whom, and the name and, if it is known, the address of the person to whom, and the date on which, the prescription was given;

(d) if the medicine was not so dispensed, the name and address of the person to whom it was supplied:

Provided that the provisions of this subsection shall, in the case of a medicine supplied on a prescription on which the medicine has been supplied by the seller on a previous occasion, be deemed to be complied with if the day on which the medicine is supplied and the quantity thereof supplied are entered in the prescription book on that day or, if that is not reasonably practicable, on the day next following that day, together with a sufficient reference to an entry in that book duly recording the dispensing of the medicine on the previous occasion.

(4) In the case of a medicine which is supplied or dispensed by a registered pharmacist and is compounded by the person supplying or dispensing it or by a person in his employment, the medicine shall have been compounded or dispensed by or under the immediate and personal supervision of a registered pharmacist.

(5) In the case of a medicine which is supplied or dispensed by a registered pharmacist, the supplying or dispensing of the medicine shall be effected by or under the immediate and personal supervision of a registered pharmacist.

**Exemption with respect to sales wholesale and sales to certain persons**

58. Except as provided by rules made hereunder nothing in the foregoing provisions of this part of this Act shall extend to or interfere with—

(a) the sale of poisons by wholesale dealing, provided that—
(i) such sale is to a registered pharmacist or to a holder of a poisons licence; or

(ii) such sale is to a person who requires the article—

(aa) for the purpose of his trade or business; or

(bb) for the purposes of enabling him to comply with any requirements made by or in pursuance of any Act with respect to the medical treatment of persons employed by that person in any trade or business carried on by him; or

(b) the sale of an article to a qualified medical practitioner, qualified dentist or qualified veterinary surgeon for the purposes of his profession.

**Use of titles, emblems and descriptions**

59. It shall not be lawful for any holder of a poisons licence to use in connection with his business any title, emblem or description reasonably calculated to suggest that he is entitled to sell any poison other than a poison which he is under this Act entitled to sell; and if any person acts in contravention of this section, he shall be liable, in respect of each offence, to a fine of one hundred dollars, and in the case of a continuing offence, to a further penalty of ten dollars for each day, subsequent to the day on which he is convicted, during which the offence continues.

**Prohibition of sale of poisons by means of automatic machine**

60. It shall not be lawful for a poison to be exposed for sale in or offered for sale by means of an automatic machine, and any person acting in contravention of this section shall be liable to a penalty of two hundred dollars, and in the case of a continuing offence, to a further penalty of ten dollars for each day, subsequent to the day on which he is convicted, during which the offence continues.

**PART VII
MISCELLANEOUS**

**Board may make rules**

*LN 46A of 1978*

61.—(1) The Board, with the approval of the Minister, may make rules with respect to any of the following matters or for any of the following purposes—

(a) the manufacture of pharmaceutical preparations containing poisons;

(b) the sale, whether wholesale or retail, or the supply of poisons by or to any person or classes of persons, and in particular but without prejudice to the generality of the foregoing provisions—
(i) for regulating or restricting the sale or supply of poisons by holders of a poisons licence, and for prohibiting the sale of any specified poison or class of poisons by any class of such licensed sellers of poisons;

(ii) for prohibiting the sale by retail of poisons (being included in Part I of the Poisons List in Schedule B hereto) except on a prescription duly given by a duly qualified medical practitioner, qualified dentist or qualified veterinary surgeon, and for prescribing the form and regulating the use of prescriptions given for the purposes of rules made under this paragraph;

Schedule B

(iii) for dispensing with or relaxing any of the provisions contained in Part VI of this Act relating to the sale of poisons;

(iv) the storage, transport and labelling of poisons;

(v) the containers in which poisons may be sold or supplied;

(vi) the additions to poisons of specified ingredients for the purposes of rendering them readily distinguishable as poisons;

(vii) the manufacture, compounding and dispensing of drugs and poisons;

(viii) the period for which any books required to be kept for the purposes of Part VI of this Act are to be preserved;

(ix) the period for which any certificate given under Part VI of this Act is to remain in force;

(x) for requiring persons in charge of the manufacture of pharmaceutical preparations containing poisons to be registered pharmacists;

(xi) for prescribing anything which by this Act is to be prescribed by rules;

(xii) the meetings and proceedings of the Board and the conduct of the business thereof and the duties of its officers;

(xiii) the forms to be used in pursuance of this Act;

(xiv) the manner of keeping the registers and the particulars to be entered therein;

(xv) the scale of fees to be charged and paid in respect of any application, registration, certificate or other proceedings, act or thing provided or required under this Act;

(xvi) the control of the professional conduct of registered pharmacists and the practice of the profession;
(xvii) the extent to which the British Pharmaceutical Codex, published by direction of the Pharmaceutical Society of Great Britain, or the Australasian Pharmaceutical Formulary, published by the Australasian Pharmaceutical Conference on behalf of the Pharmaceutical Societies of Australia and New Zealand, shall be accepted as a statement of official standards or quality or composition of drugs or medicines, and of the methods of preparation of drugs or medicines, and of compounding all mixtures thereof; and

(xviii) the qualifications of apprentices and assistants and the conditions under which apprentices or assistants may be employed;

(c) the conditions (including the keeping of records) to be observed in the use of poisons for industrial or agricultural purposes.

(2) The power to make rules under this section with respect to poisons includes the power to make rules with respect to any class of poisons or any particular poison.

**General penalty**

62.—(1) A person who acts in contravention of or fails to comply with any of the provisions of this Act, or any rule made under this Act, for which no specific penalty is prescribed, shall be liable to a penalty of not more than one hundred dollars, and in the case of a continuing offence, to a further penalty of twenty dollars for every day, subsequent to the day on which he is convicted, during which the offence continues.

(2) In the case of proceedings against a person under this section for or in connection with the sale, exposure for sale or supply of a poison effected by an employee—

(a) it shall not be a defence that the employee acted without the authority of the employer; and

(b) any material fact known to the employee shall be deemed to have been known to the employer.

(3) Notwithstanding any enactment prescribing the period within which proceedings may be commenced, proceedings for an offence under this Act may be commenced at any time within the period of twelve months next after the date of the commission of the offence; or, in the case of proceedings instituted by or by the direction of the Director of Public Prosecutions, either within the period aforesaid or within the period of three months next after the date on which evidence sufficient, in the opinion of the Director of Public Prosecutions, to justify a prosecution for the offence comes to his knowledge, whichever period ends on the later date. For the purposes of this subsection, a certificate purporting to be signed by the Director of Public Prosecutions as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence thereof.

6 of 1953, Sched
LN 46A of 1978

**Application of Customs and Excise Act**
63. Articles the importation of which is prohibited by this Act and, to the extent to which their importation is prohibited, articles the importation of which is restricted by this Act, shall be deemed to be goods the importation of which is prohibited under the Customs and Excise Act; and subject to the provisions of this Act, the said Act and any Act amending the same shall apply to such articles.

Cap. 121

SCHEDULES

SCHEDULE A

LN 78 of 1973
LN 5 of 1988

(Section 44, subsection (2))

Tablets, capsules and lozenges

Asprin Tablets B.P. (in packs of not more than 25)
Asprin soluble tablets B.P. (in packs of not more than 25)
Benzalkonium lozenges B.P.C.
Disprin (in packs of not more than 25)
Paracetamol B.P. (in packs of not more than 25)
Ointments and Applications
Calamine lotion B.P.
Centrimeide cream B.P.
Chlorozylenol Solution B.P.C.
Lanolin cream
Medicated powder (not containing antibiotics)
Medicated soap
Methylsalicylate liniment B.P.C.
Vick Vapour rub
Zinc cream B.P.
Zinc, starch and talc dusting powder B.P.C.
Dressings
Adhesive plasters
Bandages
Cotton wool, hospital quality
Lint, surgical
Surgical dressings, not containing any antibiotic
Surgical gauze, unmedicated
Miscellaneous
Cod liver oil
Dextrose
Enos (and similar effervescent antacids)
Eucalyptus
Lactogen
Sodium bicarbonate
Soda crystals (washing soda)
Vicks inhaler.
Note: Proprietary preparations which, in the opinion of the Pharmacy and Poisons Board, are of substantially similar composition, pharmacological action and toxicity to any of the above preparations, may also be sold.

LN 60 of 1981

SCHEDULE B

(Section 52, subsection (2))

THE POISONS LIST

PART I

Cannabis (the dried flowering or fruiting tops of Cannabis sativa Linn.), the resin of cannabis; extracts of cannabis, tinctures of cannabis; cannabin tannate.

Cantharidin; cantharidates.

Chloral formamide.

Chloral hydrate.

Chloroform.

Creosote obtained from wood.

Croton; oil of.

Digitalis, glycosides of; other active principles of digitalis.

Dinitrocresols; dinitronaphthols, dinitrophenols, dinitrothymols.

Elaterin.

Ergot (the sclerotia of any species of Claviceps); extracts of ergot; tinctures of ergot.

Erythrityl tetranitrate.

Fluorocetamide

Fluorocetanilide

Glyceryl trinitrate.

Guanidines, the following: polymethylene diguanidines, dipara-anisylphenetyl guandine.

Hydrocyanic acid; cyanides; double cyanides of mercury and zinc.

Insulin.
Lead acetates; compounds of lead with acids from fixed oils.

Mannityl hexanitrate.

Mercury, oxides of; nitrates of mercury; mercuric ammonium chlorides; potassio-mercuric iodides; mercuric oxycyanides; mercuric thiocyanate.

Metanitrophenol; orthonitrophenol; paranitrophenol.

Monofluoracetic acid; or its salts

Nux Vomica.

Opium.

Orthocaine; its salts.

Ouabain.

Oxalic acid; metallic oxalates other than potassium quadroxalate.

Oxycinchroninic acid, derivatives of; their salts; their esters.

Para-amino-benzoic acid; esters of; their salts.

Phenetidylphenacetin.

Phenols (any member of the series of phenols of which the first member is phenol and of which the molecular composition varies from member to member by one atom of carbon and two atoms of hydrogen) except in substances containing less than sixty per cent, weight in weight, of phenols; compounds of phenol with a metal, except in substances containing less than the equivalent of sixty per cent weight in weight, of phenols.

Phenylcinchoninic acid; salicylcinchinoninic acid; their salts; their esters.

Phenylethylhydantoin; its salts; its acyl derivatives; their salts.

Phosphorus, yellow.

Picric acid.

Picrotoxin.

Pituitary gland, the active principles of.

Savin; oil of.

Sodium monofluoroacetate syn: Sodium mononuoracetic acid; commonly known as compound 1080
Strophanthus; glycosides of strophanthus.

Sulphonal; alkyl sulphonals.

Suprarenal gland, the active principles of, their salts.

Thallium; salts of.

Thyroid gland, the active principles of, their salts.

Tribromethyl alcohol.

P-aminobenzenesulphonamide, Sulphonilamide, and preparations thereof and analogous compounds and derivatives and preparations thereof, whether described as Prontosil, Prontylin, Septasine, Soluseptasine, Sulphonamide-p or any other trade-name, trade-mark or designation.

PART II

Ammonia.

Arsenical substances, the following—

Barium, salts of, the following—

Barium carbonate.

Barium silicofluoride.

Formaldehyde.

Hydrochloric acid.

Hydrofluoric acid; potassium fluoride; sodium fluoride; sodium silicofluoride.

Mercuric chloride; mercuric iodide; organic compounds of mercury.

Methylated spirits.

Nicotine; its salts.

Nitric acid.

Nitrobenzene.
Phenols as defined in Part I of this List in substances containing less than sixty per cent weight in weight, of phenols; compounds of phenol with a metal in substances containing less than the equivalent of sixty per cent, weight in weight, of phenols. Phenylene diamines; toluene diamines, their salts.

Potassium hydroxide.

Potassium quadroxalate.

Sodium hydroxide.

Sulphuric acid.

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CHAPTER 105
PHARMACY AND POISONS

Subsidiary Legislation

APPOINTMENT OF INSPECTOR

(Section 14)

The Medical Officer for the time being in charge of the Public Hospital at Gizo is appointed to be an inspector for the purposes of enforcing the provisions of the Pharmacy and Poisons Act.

107/133/1958

THE POISONS RULES

(Section 61)

Rules by the Pharmacy and Poisons Board

Rules dated 17/11/1941
Am. by

LN 25/1964
LN 83/1969
LN 77/1973
LN 61/1981
LN 68/1987
LN 102/1987
LN 63/1988

Title

1. These Rules may be cited as the Poisons Rules.

Definitions
2.—(1) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"animal" includes poultry;

"antimonial poisons" means chlorides of antimony, oxides of antimony, sulphides of antimony, antimonates, antimonites, and organic compounds of antimony;

"arsenical poisons" means halides of arsenic, oxides of arsenic, sulphides of arsenic, arsenates, arsenites, copper acetoarsenites, sodium thioarsenates, and organic compounds of arsenic;

"British Pharmacopoeia" and "British Pharmaceutical Codex" include supplements;

"food" includes a beverage;

"licensed seller of poisons" means a person entitled under Part VI of the Act to sell poisons included in Part II of the Poisons List;

"medicines for the internal treatment of human ailments" includes any medicine to be administered by hypodermic injection but does not include any mouth-wash, eye-drops, eye-lotion, ear-drops, douche or similar article;

"poisons list" means the Poisons List contained in Schedule B of the Act;

"sale exempted by section 58 of the Act" means a sale made in such circumstances as to be entitled except as provided by these Rules, to exemption under section 58 of the Act from the foregoing provisions of Part VI of the Act;

"transaction exempted by section 57 of the Act" means the supply of a medicine in such circumstances as to be entitled to exemption under section 57 of the Act from the provisions of section 56 of the Act.

(2) In these Rules any reference to an alkaloid shall include a reference to any salt of that alkaloid and in the case where the esters of an alkaloid are included in the Poisons List by virtue of the words "its esters" to any esters of that alkaloid.

(3) Any reference in the Schedules to these Rules to the percentage of a poison contained in any substance or preparation shall unless otherwise expressly provided be construed in the following manner, that is to say, a reference to a substance or preparation containing one per cent of any poison means—

(a) in the case of a solid that one gramme of the poison is contained in every hundred grammes of the substance or preparation;

(b) in the case of a liquid that one millilitre of the poison or if the poison itself is a solid one gramme of the poison is contained in every hundred millilitres of the substance or preparation;

and so in proportion for any greater or less percentage.
Prohibition against sale on retail premises

3. It shall not be lawful for any person to sell any poisons on any premises used for or in connection with his retail business notwithstanding that the sale is exempted by section 58 of the Act unless he complies with the provisions of paragraph (a) or paragraph (b), as the case may be, of section 56(1) of the Act.

Application of provisions as to labelling

4.—(1) Subject as hereinafter provided the provisions of paragraph (c) of section 56(1) of the Act and of rules 14 to 19 hereof (which provisions relate to the labelling of poisons) shall apply to sales exempted by section 58 of the Act and shall also apply to the supply of poisons (otherwise than on sale) in like manner as if references in the said provisions to the sale and seller of poisons included references to the supply and supplier of poisons respectively.

(2) The said provisions except the provisions of rule 18 and of paragraph (c) (iv) of section 56(1) as modified by rule 19 shall not apply to the sale or supply of any of the poisons included in the Second Schedule to these Rules to a person who requires the poison for the purpose of his trade or business if the outside of the package in which the poison is sold or supplied is labelled conspicuously with words indicating the dangerous properties of the poison.

Second Schedule

Application of section 56 (2) of Act

5. The provisions of section 56(2) of the Act (which makes provision as to persons to whom poisons may be sold and to the keeping of records of sales) shall apply to all substances included in the First Schedule to these Rules whether or not the poison sold is a poison included in Part I of the Poisons List and shall not apply with respect to any other substance:

First Schedule

Provided that paragraph (a) of section 56(2) shall in its application to sales as authorised sellers of Part II poisons be deemed to be satisfied if the person to whom the poison is sold is known by the person in charge of the premises on which the poison is sold or of the department of the business in which the sale is effected to be a person to whom the poison may properly be sold.

Commercial sales and samples

6.—(1) The provisions of section 56(2) of the Act as modified by the last foregoing rule shall apply to sales exempted by section 58 of the Act and shall also apply to the supply in the form of a commercial sample otherwise than on sale of any substance included in the First Schedule to these Rules in the like manner as if references in the said provisions to the sale and seller of poisons respectively included references to the supply and supplier of poisons in the form of commercial samples.

First Schedule

(2) Paragraph (a) of section 56(2) shall in its application to sales exempted by section 58 of the Act and to the supply in the form of commercial samples of substances included in the First Schedule to these Rules be deemed to be satisfied if the person to whom the poison or
sample is sold or supplied is known by the person in charge of the department of the business through which the sale or supply is effected to be a person to whom the poison or sample may properly be sold or supplied.

(3) So much of paragraph (b) of section 56(2) as requires an entry in a book to be signed by the purchaser of a poison shall not as respects the sale of a poison to a person for the purposes of his trade, business or profession apply if the following requirements are satisfied—

(a) the seller must obtain before the completion of the sale an order in writing signed by the purchaser stating his name and address, trade, business or profession, the name and quantity of the article to be purchased and the purpose for which it is required;

(b) the seller must be reasonably satisfied that the signature is that of the person purporting to have signed the order and that that person carries on the trade, business, or profession stated in the order being one in which the poison to be purchased is used;

(c) if the article is sent by post it must be sent by registered post;

(d) the seller must insert in the entry prescribed by rule 34 hereof the words "signed order" and a reference number by which the order can be identified:

Provided that where a person represents that he urgently requires a poison for the purpose of his trade, business or profession the seller may if he is reasonably satisfied that the person so requires the poison and is by reason of some emergency unable before delivery to furnish to the seller an order in writing duly signed or to attend and sign the entry in the book deliver the poison to the purchaser on an undertaking by the purchaser to furnish such an order within the twenty-four hours next following.

If any purchaser by whom any such undertaking has been given fails to deliver to the seller a signed order in accordance with the undertaking or if any person for the purpose of obtaining delivery of any poison under the foregoing proviso makes a statement which is to his knowledge false he shall be deemed to have contravened the provisions of this rule.

Exemption with respect to medicine

7. The requirements mentioned in section 57 (3) of the Act (which requires particulars of medicines supplied or dispensed under that section to be entered in a book) need not be satisfied in the case of any medicine not being a substance included in the First Schedule to these Rules which is supplied by—

First Schedule

(a) a medical practitioner or qualified veterinary surgeon for the purpose of medical or animal treatment; or

(b) a registered pharmacist on and in accordance with a prescription given by a medical practitioner.

Exemption under section 57 of Act
8. Nothing in these Rules shall apply except as is expressly provided therein to transactions exempted by section 57 of the Act.

**Exemption of certain preparations**

9. Such of the provisions of these Rules and of Part VI of the Act as modified by these Rules as apply solely with respect to the substances included in the First Schedule to these Rules shall not apply with respect to—

First Schedule

(a) machine spread plasters; or

(b) surgical dressings; or

(c) articles containing barium carbonate and prepared for the destruction of rats and mice; or

(d) corn paints in which the only poison is a poison included in the Poisons List under the heading of "Cannabis".

**Exemption of articles, etc., in Groups I and II of Third Schedule**

10. Nothing in Part VI of the Act or these Rules shall apply—

(a) with respect to any article included in Group I of the Third Schedule to these Rules; or

(b) so far as any poison specified in the first column of Group II of that Schedule is concerned with respect to any of the articles or substances specified in the second column opposite the description of the poison.

**Sales prohibited except on prescriptions**

11.—(1) It shall not be lawful to sell any poison included in the Fourth Schedule to these Rules except on and in accordance with the prescription given by a registered medical practitioner, registered dentist or a qualified veterinary surgeon in the form provided by this rule.

Fourth Schedule

(2) This rule shall apply to the sale of any such poison notwithstanding that it is a transaction exempted by section 57 of the Act but shall not apply to any sale exempted by section 58 of the Act.

(3) For the purposes of this rule a prescription shall—

(a) be in writing and be signed by the person giving it with his usual signature and be dated by him;

(b) specify the address of the person giving it;
(c) specify the name and address of the person for whose treatment it is given or if the prescription is given by a qualified veterinary surgeon of the person to whom the medicine is to be delivered;

(d) have written thereon if given by a dentist the words "For Dental Treatment Only" or if given by a qualified veterinary surgeon the words "For Animal Treatment Only";

(e) indicate the total amount of the medicine to be supplied and the dose to be taken.

(4) The person dispensing the prescription shall comply with the following requirements—

(a) the prescription must not be dispensed more than once unless the prescriber has stated thereon that it may be dispensed more than once;

(b) if the prescription contains a direction that it may be dispensed a stated number of times or at stated intervals it must not be dispensed otherwise than in accordance with the directions;

(c) at the time of dispensing there must be noted on the prescription above the signature of the prescriber the name and address of the seller and the date on which the prescription is dispensed;

(d) except in the case of a prescription which may be dispensed again the prescription must for a period of two years be retained and kept on the premises on which it was dispensed in such manner as to be readily available for inspection.

Sale of substances in First Schedule

12. It shall not be lawful for a registered pharmacist to sell any substance included in the First Schedule to these Rules notwithstanding that the poison is a poison included in Part II of the Poisons List unless the sale is effected by or under the supervision of a registered pharmacist.

Restrictions on sale of certain poisons

LN 83/1969

13.—(1) No licensed seller of poisons shall be entitled by virtue of being a licensed seller of Part II poisons to sell—

(a) any poison other than ammonia, hydrochloric acid, methylated spirits, nitric acid, potassium quadroxalate, and sulphuric acid except in a closed container as closed by the manufacturer or other person from whom the poison was obtained;

(b) any substance included in the First Schedule to these Rules unless the sale is effected by himself or by a responsible deputy.

In this paragraph the expression "responsible deputy" means a person nominated as a deputy on the seller's form of application as hereinafter prescribed for licence as a licensed seller of Part II poisons or any person substituted by notice in writing to the Pharmacy and Poisons Board for a person so nominated and not more than two deputies shall be nominated at one time in respect of one set of premises.
(2) No person shall be entitled by virtue of being a licensed seller of poisons to sell any poison included in the first column of the Fifth Schedule to these Rules unless the article or substance sold is one of the articles or substances specified against the description of the poison in the second column of that Schedule and the container of the substance is, in addition to any other direction of the Act or of these Rules with respect to labelling, labelled clearly with a notice of the special purpose for which the article or substance is intended and a warning that it is only to be used for that purpose.

LN 25/1964
Fifth Schedule

(3) It shall not be lawful to sell or supply strychnine except as an ingredient in medicine:

Provided that this rule shall not apply to the sale of strychnine—

(a) by way of wholesale dealing;

(b) for the purpose of being compounded in medicines prescribed or administered by a registered medical practitioner or qualified veterinary surgeon;

(c) to a person or institution concerned with scientific education or research or chemical analysis for the purposes of that education, research or analysis.

Labelling

14.—(1) Subject to the provisions of these Rules the particulars with which the container of a poison is required to be labelled under paragraph (c) of section 56(1) of the Act and under these Rules must appear in a conspicuous position on the container in which the poison is sold and on every box or other covering of whatever nature enclosing the container and the particulars must be clearly and distinctly set out and not in any way obscured or obliterated.

(2) Where the poison is contained in an ampoule, cachet or similar article it shall not be necessary to label the article itself if every box or other covering in which the article is enclosed is duly labelled.

(3) Nothing in the said paragraph (c) or in Rules 14 to 19 shall require the labelling of any transparent cover or any wrapper, hamper, packing case, crate or other covering used solely for the purpose of transport or delivery.

Name of poison on label

15.—(1) Subject as hereinafter provided for the purpose of paragraph (c) (i) of section 56 (1) of the Act the name of a poison shall be the term under which it is included in the Poisons List:

Provided that when the said term describes a group of poisons and not the poison specifically, the name of the poison shall be—
(a) if the poison is the subject of a monograph in either the British Pharmacopoeia or the British Pharmaceutical Codex one or other of the names or synonyms or abbreviated names set out at the head of the monograph; and

(b) in any other case the accepted scientific name or name descriptive of the true nature and origin of the poison.

(2) For the purposes of the foregoing it shall in the case of a preparation in the British Pharmacopoeia or the Formulary to the British Pharmaceutical Codex or any dilution or admixture of such a preparation or any surgical dressing for which a standard is described in the British Pharmaceutical Codex be sufficient notwithstanding anything in the foregoing paragraph of this rule to state the name, synonym or abbreviated name used to describe the preparation, or surgical dressing in the British Pharmacopoeia or the Formulary to the British Pharmaceutical Codex with the addition of the letters B.P. or B.P.C. as the case may be.

**Label to show amount of poison**

16.—(1) For the purposes of paragraph (c) (ii) of section 56 (1) of the Act (which requires preparations containing poisons to be labelled with the prescribed particulars as to the proportions of a poison therein) the label of the container of any preparation containing a poison as one of its ingredients shall subject as hereinafter provided include a statement of the proportion which the poison bears to the total ingredients of the preparation.

(2) In the case of a preparation containing a poison specified in the first column of the Sixth Schedule to these Rules it shall be sufficient to state on the label the particulars specified in the second column of that Schedule against the description of the poison.

**Sixth Schedule**

(3) In the case of a preparation or surgical dressing which is named in accordance with paragraph (2) of the last foregoing rule it shall not be necessary to state on the label the proportion of the poison contained in the preparation and in the case of any dilution or admixture of such a preparation it shall be sufficient to state the proportion which the preparation bears to the total ingredients of the dilution or admixture.

(4) Where the poison is in tablets, pills, capsules, cachets, lozenges or similar articles or in ampoules it shall be sufficient to state on the label of the box or other covering in which the articles are enclosed the number of the articles and the amount of the poison or in the case of such a preparation as is mentioned in the last foregoing paragraph the amount of the preparation contained in each article.

(5) Where any proportion is stated as a percentage the statement shall indicate whether the percentage is calculated on the basis of weight in weight, weight in volume, or volume in volume.

**Labelling of container**

17.—(1) In pursuance of paragraph (c) (iii) of section 56 (1) of the Act (which requires the containers of poison to be labelled with the word "poison" or other prescribed indication of character) the container of any article specified in the Seventh Schedule to these Rules shall
instead of being labelled with the word "poison" be labelled with the words specified in the said Schedule as applicable to that article.

Seventh Schedule

(2) The said words or the word "Poison" as the case may be must not be modified in meaning by the addition of any other words or marks, and—

(a) in the case of a substance included in the First Schedule to these Rules must either be in red lettering or be set against a red background; and

(b) in all cases must either be on a separate label or be surrounded by a line within which there must be no other words except words with which the container of the poison is required to be labelled under the Act or these Rules.

Prohibition of certain sales
Directions on container

18.—(1) It shall not be lawful to sell or supply any poison—

(a) in the case of a liquid other than a medicine contained in a bottle of a capacity of not more than 120 fluid ounces unless the bottle is labelled with words "Not to be taken";

(b) in the case of an embrocation, liniment, lotion, liquid antiseptic or other liquid medicine for external application, unless the container is labelled with the name of the article and the words "For external use only".

(2) It shall not be lawful to sell or supply any compressed hydrocyanic acid unless the container is labelled with the words "Warning. This container holds poisonous gas and should only be opened and used by persons having expert knowledge of the precautions to be taken in its use."

(3) This rule shall be in addition to the other requirements of the Act and these Rules with respect to labelling and shall apply to transactions exempted by section 57 of the Act.

Name and address of seller on label

19.—(1) The provisions of paragraph (c) (iv) of section 56 (1) of the Act (which requires the container of a poison to be labelled with the name of the seller and the address of the premises on which it was sold) shall not apply in the case of an article sold for the purpose of being sold again in the same container.

(2) The requirements of the said paragraph shall be deemed to be satisfied in the case of a poison supplied from a warehouse or depot if the container of the poison is labelled with the address of the supplier's principal place of business or in the case of a limited company of the registered office of the company.

(3) When any poison (other than a substance included in the First Schedule to these Rules) is sold in a container and outer covering, being the container and covering in which it was
obtained by the seller, it shall be sufficient if the name of the seller and the address of the premises on which it was sold appear only on the outer covering.

First Schedule

(4) Where the names of more than one person or more than one address appear on any label there must also be words on the label indicating clearly which person is the seller and at which of the addresses the poison was sold.

Containers

LN 83/1969

20.—(1) It shall not be lawful to sell, whether by wholesale or retail, or supply any poison unless—

(a) it is contained in a container impervious to the poison and sufficiently stout to prevent leakage arising from the ordinary risks of handling and transport; and

(b) in the case of a liquid contained in a glass bottle of a capacity of not more than 120 fluid ounces, not being methylated spirits or a medicine made up ready to be taken for the internal treatment of human ailments, the outer surface of the bottle is fluted vertically with ribs or grooves recognisable by touch.

(2) Sub-paragraph (b) of the foregoing paragraph shall apply to transactions exempted by section 58 of the Act.

Storage of poisons

21.—(1) It shall not be lawful to store any poison except in a container impervious to the poison and sufficiently stout to prevent leakage from the container arising from the ordinary risks of handling.

(2) It shall not be lawful to store any substance included in the First Schedule to these Rules in any retail shop or premises used in connection therewith unless the container is stored—

First Schedule

(a) in a cupboard or drawer reserved solely for the storage of poisons;

(b) in a part of the premises which is partitioned off or otherwise separated from the remainder of the premises and to which the customers are not permitted to have access;

(c) on a shelf reserved solely for the storage of poisons and—

(i) no food is kept directly under the shelf; and

(ii) the container of the substance is rendered distinguishable by touch from the containers of articles and substances other than poisons stored upon the same premises:
Provided that in the case of any such substance to be used in agriculture or horticulture, it shall not be lawful to store the substance in any such part of the premises as aforesaid if food is kept in that part, or in any cupboard or drawer unless the cupboard or drawer is reserved solely for the storage of poisons to be used as aforesaid.

**Transport of poisons**

22. It shall not be lawful to consign any poison for transport unless it is sufficiently stoutly packed to avoid leakage arising from the ordinary risks of handling and transport.

**Restrictions on carriage**

23. — (1) It shall not be lawful to consign for transport by carrier any poison included in the Eighth Schedule to these Rules unless the outside of the package containing the article is labelled conspicuously with the name or description of the poison as set forth in the said Schedule and a notice indicating that it is to be kept separate from food and from empty containers in which food has been contained.

_Eighth Schedule_

(2) It shall not be lawful for any person knowingly to transport any such poison as aforesaid either on his own behalf or for another person in any vehicle in which food is being transported unless the food is carried in a part of the vehicle effectively separated from that containing the poison or is otherwise adequately protected from the risk of contamination.

(3) This rule shall not apply with respect to medicines.

**Supervision of manufacture**

24. In all establishments in which pharmaceutical preparations containing any poison are manufactured for the purpose of the internal treatment of human ailments the preparation must be manufactured by or under the supervision of a registered pharmacist:

Provided that this rule shall not apply to the manufacture by or under the supervision of a qualified medical practitioner of preparations containing pituitary, suprarenal or thyroid glands, the active principles of any of those glands or the salts of the active principles of thyroid gland.

**Application to sell poison**

25. Every application for a licence to sell poisons included in Part II of the Poisons List shall be as set out in the Ninth Schedule hereto.

_Ninth Schedule_

**Storekeeper's poison licence**

26. Every licence to a storekeeper to sell such Part II poison as is permitted by these Rules shall be as set out in the Tenth Schedule hereto.

_Tenth Schedule_

**Fees**
27. The fees payable for each licence or certificate granted or premises registered under the Act shall be as set out in the Eleventh Schedule hereto.

*Eleventh Schedule*

**Form of certificate**

28. The form of Certificate of Registration as a Pharmacist shall be as set out in the Twelfth Schedule hereto.

*Twelfth Schedule*

**Form of Register of Pharmacists**

29. The Register of Pharmacists shall be in the form as set out in the Thirteenth Schedule hereto.

*Thirteenth Schedule*

**Form of register of premises**

30. The register of premises where drugs, poisons or medicines are authorised or licensed to be sold shall be as set out in the Fourteenth Schedule hereto.

*Fourteenth Schedule*

**Application to sell medicine**

31. The form of application for a licence to sell medicines shall be as set out in the Fifteenth Schedule hereto.

*Fifteenth Schedule*

**Licence to sell medicines**

*LN 77/1973*

32. (1) A licence to sell medicines shall be in the hereto form prescribed in the Sixteenth Schedule hereto and shall be subject to such terms and conditions as may therein be specified.

(2) Any person who, being the holder of such a licence, contravenes any of its terms or conditions or causes or permits any of its terms or conditions to be contravened shall be guilty of an offence and liable to a fine of fifty dollars.

**Certificate in accordance with section 56 (2)**

33.—(1) A certificate given for the purposes of paragraph (a) of section 56 (2) of the Act being a certificate certifying a person to be a person to whom a poison may properly be sold shall be in the form and shall contain the particulars set out in the Seventeenth Schedule hereto.

*Seventeenth Schedule*

(2) All householders are hereby authorised to give such certificates as aforesaid:
Provided that a certificate given by a householder who is not known to the seller of the poison to be a responsible person of good character shall not be a sufficient certificate for the purposes of the said paragraph unless it is endorsed in the manner specified in the Seventeenth Schedule by a police officer of or above the rank of Inspector.

11 of 1970, Sched

(3) On any sale of a poison on such a certificate as aforesaid the certificate shall be retained by the seller.

**Form of entry of sales**

34. The particulars of sales of poisons which are required by paragraph (b) of section 56(2) of the Act to be entered in a book shall be entered in the form set out in the Eighteenth Schedule hereto.

**Preservation of books**

35. All books kept for the purpose of Part VI of the Act shall be preserved on the premises on which the sales recorded therein were made for a period of two years from the date on which the last entry was made therein.

*Eighteenth Schedule*

**SCHEDULES**

**FIRST SCHEDULE**

**SUBSTANCES FALLING WITHIN THE POISONS LIST TO WHICH SPECIAL RESTRICTIONS APPLY**

Alkaloids, the following, their salts simple or complex—

Acetyldihydrocodeinone.

Aconite, alkaloids of, except substances containing less than 0.02 per cent of the alkaloids of aconite.

Apomorphine, except substances containing less than 0.2 per cent of apomorphine.

Atropine, except substances containing less than 0.15 per cent of atropine.

Belladonna, alkaloids of, except substances containing less than 0.15 per cent of the alkaloids of belladonna calculated as hyoscyamine.

Benzoylmorphine.

Benzylmorphine.

Brucine, except substances containing less than 0.2 per cent of brucine.

Calabar bean, alkaloids of.
Coca, alkaloids of, except substances containing less than 0.1 per cent of the alkaloids of coca.

Cocaine, except substances containing less than 0.1 per cent of cocaine.

Codeine, except substances containing less than 0.1 per cent of codeine.

Colchicine, except substances containing less than 0.5 per cent of colchicine.

Coniine, except substances containing less than 0.1 per cent of coniine.

Cotarnine, except substances containing less than 0.2 per cent of cotarnine.

Curarine.

Diacetylmorphine.

Dihydrocodeinone.

Dihydrohydroxycodeinone.

Dihydromorphine.

Dihydromorphinone.

Ecgonine, except substances containing less than 0.1 per cent of ecgonine.

Emetine, except substances containing less than 1 per cent of emetine.

Ergot, alkaloids of.

Ethylmorphine, except substances containing less than 0.2 per cent of ethylmorphine.

Gelsemium, alkaloids of, except substances containing less than 0.1 per cent of the alkaloids of gelsemium.

Homatropine, except substances containing less than 0.15 per cent of homatropine.

Hyoscine, except substances containing less than 0.15 per cent of hyoscine.

Hyoscyamine, except substances containing less than 0.15 per cent of hyoscyamine.

Jaborandi, alkaloids of, except substances containing less than 0.5 per cent of the alkaloids of jaborandi.

Lobelia, alkaloids of, except substances containing less than 0.5 per cent of the alkaloids of lobelia.

Morphine, except substances containing less than 0.2 per cent of morphine calculated as anhydrous morphine.
Nicotine.

Papaverine, except substances containing less than 1 per cent of papaverine.

Pomegranate, alkaloids of, except substances containing less than 0.5 per cent of the alkaloids of pomegranate.

Quebracho, alkaloids of.

Sabadilla. alkaloids of, except substances containing less than 1 per cent of the alkaloids of sabadilla.

Solanaceous alkaloids, not otherwise included in this Schedule except substances containing less than 0.15 per cent of solanaceous alkaloids calculated as hyosyamine.

Stavesacre, alkaloids of, except substances containing less than 0.2 per cent of the alkaloids of stavesacre.

Strychnine, except substances containing less than 0.2 per cent of strychnine.

Thebaine, except substances containing less than 1 per cent of thebaine.

Veratrum, alkaloids of, except substances containing less than 1 per cent of the alkaloids of veratrum.

Yohimba, alkaloids of.

Allylisopropylacetylurea.

Amidopyrine, its salts.

Amino-alcohols, esterified with benzoic acid, phenylacetic acid, propylpropionic acid, cinnamic acid or the derivatives of those acids, excepting substances containing less than 10 per cent of the esterified amino-alcohols.

Antimonial poisons, excepting substances containing less than the equivalent of 1 per cent of antimony trioxide.

Arsenical poisons, except substances containing less than the equivalent of 0.01 per cent of arsenic trioxide.

Barbituric acid, its salts, derivatives of barbituric acid, their salts, compounds of barbituric acids, its salts, its derivatives, their salts, with any other substance.

Barium, salts of.

Cannabis, the resins of cannabis, extracts of cannabis, tinctures of cannabis, cannabin tannate.

Cantharidin, except substances containing less than 0.01 per cent of cantharidin.
Cantharidates, except substances containing less than the equivalent of 0.01 per cent of cantharidin.

Digitalis, glycosides of, except substances containing less than one unit of activity (as defined in the British Pharmacopoeia) in two grammes of the substance.

Dinitroresols, Dinitronaphthols, Dinitrophenols, Dinitrotymhols.

Ergot, extracts of ergot, tinctures of ergot.

Fluorocetamide

Fluorocetanilide

Guanidines, the following, polymethylene diguanidine, dipara-anisyl-phenetyl guanidine.

Hydrocyanic acid, except substances containing less than 0.1 per cent of hydrocyanic acid (HCN), cyanides except substances containing less than the equivalent of 0.1 per cent weight in weight of hydrocyanic acid (HCN) double cyanides of mercury and zinc.

Lead, compounds of, with acids from fixed oils.

Mercuric Chloride, except substances containing less than 1 per cent of mercuric chloride, mercuric iodide, except substances containing less than 2 per cent of mercuric iodide, nitrates of mercury except substances containing less than the equivalent of 3 per cent weight in weight of mercury (Hg) potassio-mercuric iodides excepting substances containing less than the equivalent of 1 per cent of mercuric iodide, organic compounds of mercury excepting substances less than the equivalent of 0.2 per cent weight in weight of mercury (Hg).

Metanitrophenol, orthonitrophenol, paranitrophenol.

Monofluoracetic acid; its salts

Nux Vomica, except substances containing less than 0.2 per cent of strychnine.

Opium, except substances containing less than 0.2 per cent of morphine calculated as anhydrous morphine.

Ouabain.

Oxycinchnonic acid, derivatives of their salts, their esters.

P-aminobenzenesulphonamide, Sulphanilamide, and preparations thereof and analogous compounds and derivatives and preparations thereof, whether described as Prontosil, Prontylin, Septasine, Soluseptasine, Sulphonamide-P or any other trade-name, trade-mark or designation.
Phenetidylphenacetin.
Phenylcinchoninic acid, salicyl-cinchoninic acid, their salts, their esters.
Phenylethylhydantoin, its salts, its acyl derivatives, their salts.
Picrotoxin.
Savin, oil of.
Sodium monofluoroacetate syn: Sodium monofluorocetic acid; commonly known as compound 1080  

LN 61/1981

Strophanthus, glycosides of.
Thallium, salts of.
Tribromethyl alcohol.

SECOND SCHEDULE

POISONS EXEMPTED BY RULE 4(2) FROM LABELLING PROVISIONS WHEN SOLD IN CERTAIN CIRCUMSTANCES

- Alkali fluorides.
- Ammonia.
- Antimony, chlorides of, oxides of antimony, sulphides of antimony, antimonates, antimonites.
- Chloroform.
- Dinitrocresols, dinitronaphthols, dinitrophenols.
- Formaldehyde.
- Glyceryl trinitrate.
- Hydrochloric acid.
- Hydrofluoric acid, sodium silicofluoride.
- Lead acetate, compounds of lead with acids from fixed oils.
- Mercuric chloride, mercuric iodide, organic compounds of mercury.
- Mercury, oxides of, nitrates of mercury.
- Metanitrophenol, ortho nitrophenol, para nitrophenol.
- Nitric acid.
- Nitrobenzene.
- Oxalic acid, metallic oxalates.
- Phenols, compounds of phenol with a metal.
- Phosphorus, yellow.
- Picric acid.
- Potassium hydroxide.
- Sodium hydroxide.
- Sulphuric acid.

THIRD SCHEDULE
ARTICLES EXEMPTED BY RULE 10 FROM THE PROVISIONS OF THE ACT
AND OF THESE RULES

Group I

GENERAL EXEMPTIONS

Adhesives. Loading materials.
Anti-fouling compositions. Marking inks.
Builders' materials. Matches.
Ceramics. Motor fuels and lubricants.
Distempers. Paints other than pharmaceutical
Electrical valves. Paints.
Enamels. Photographic paper.
Explosives. Pigments.
Fillers. Plastics.
Fireworks. Polishes.
Glazes. Printers' ink
Glue. Propellants.
Lacquer solvents. Rubber varnishes.

Group II

SPECIAL EXEMPTIONS

Poison Substance or article in which exempted
Acetanilide, alkyl Substances not being preparations for the acetanilides treatment of human ailments.
Alkaloids—
Emetine. Ipecacuanha, extracts and tinctures of ipecacuanha; substances containing less than 0.5 per cent of emetine.
Ephedra, alkaloid of. Substances containing less than 1 per cent of the alkaloids of ephedra.
Jaborandi, alkaloids of. Substances containing less than 0.025 per cent of the alkaloids of jaborandi.
Lobelia, alkaloids of. Preparations for the relief of asthma in the form of cigarettes, smoking mixtures or fumigants; substances containing less than 0.1 per cent of the alkaloids of lobelia.
Nicotine. Tobacco.
<table>
<thead>
<tr>
<th>Substance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pomegranate, alkaloids of.</td>
<td>Peomegranate bark.</td>
</tr>
<tr>
<td>Solanaceous alkaloids.</td>
<td>Stramonium contained in preparations for the relief of asthma in the form of cigarettes, smoking mixtures, or fumigants.</td>
</tr>
<tr>
<td>Stavesacre, alkaloids.</td>
<td>Soaps, ointments, lotions for external use.</td>
</tr>
<tr>
<td>Ammonia.</td>
<td>Substances not being solutions of ammonia or preparations containing solutions of ammonia, liquids containing less than 5 per cent weight in eight of ammonia (NH₃), refrigerators, smelling bottles.</td>
</tr>
<tr>
<td>Arsenical poisons.</td>
<td>Pyrites ores, or sulphuric acid containing arsenical poisons as natural impurities.</td>
</tr>
<tr>
<td>Chloroform.</td>
<td>Substances containing less than 10 per cent of chloroform.</td>
</tr>
<tr>
<td>Creosote obtained from wood.</td>
<td>Substances containing less than 50 per cent of creosote obtained from wood.</td>
</tr>
<tr>
<td>Formaldehyde.</td>
<td>Substances containing less than 5 per cent weight in weight of formaldehyde (H₃CO) photographic glazing or hardening solutions.</td>
</tr>
<tr>
<td>Hydrochloric acid.</td>
<td>Substances containing less than 9 per cent weight in weight of hydrochloric acid (HCl).</td>
</tr>
<tr>
<td>Lead acetate.</td>
<td>Substances containing less than 4 per cent of lead acetate.</td>
</tr>
<tr>
<td>Lead, compounds of.</td>
<td>Machine spread plasters.</td>
</tr>
<tr>
<td>Mercuric chloride.</td>
<td>Batteries.</td>
</tr>
<tr>
<td>Mercuric chloride, mercuric iodide, organic compounds of mercury.</td>
<td>Dressings on seeds or bulbs.</td>
</tr>
<tr>
<td>Mercury, nitrates of.</td>
<td>Ointments containing less than the equivalent of 3 per cent weight in weight of mercury (Hg).</td>
</tr>
<tr>
<td>Nitric acid</td>
<td>Substances containing less than 9 per cent weight in weight of nitric acid (HNO₃).</td>
</tr>
<tr>
<td>Nitrobenzene.</td>
<td>Substances containing less than 0.1 per cent weight in weight of nitrobenzene.</td>
</tr>
</tbody>
</table>
of nitro-benzene, soaps containing less than 1 per cent of nitro-benzene.

Phenols. Carvacrol; coal tar, crude or refined; creosote obtained from coal tar; essential oils in which phenols occur naturally; medicines, containing less than 1 per cent of phenols; nasal sprays, mouthwashes, pastilles, lozenges, capsules, pessaries, ointments or suppositories containing less than 2.5 per cent of phenols; smelling bottles; soaps for washing; solid substances containing less than 60 per cent of phenols; tertiary butyl cresol; thymol.

Phenylenediamines, toluene diamines; their salts.

Picric acid.

Potassium hydroxide.

Sodium fluoride.

Sodium hydroxide.

Sodium silicofluoride.

Sulphuric acid.

FIFTH SCHEDULE

FORMS TO WHICH THE SUBSTANCES SPECIFIED ARE RESTRICTED WHEN SOLD BY LICENSED SELLERS OF PART II POISONS—RULE 13 (2)

Poison Form to which sale is restricted

Arsenical substances—

Arsenious oxide. Sheep dips, sheep washes.
Arsenic sulphides. " "
Calcium arsenates. Agricultural and horticultural insecticides or fungicides.
Calcium arsenites. " " " "
Copper acetoarsenites. " " " "
Copper arsenates. " " " "
Copper arsenites. " " " "
Lead arsenates. " " " "
Potassium arsenites. Sheep dips sheep washes.
Sodium arsenates. " "
Sodium arsenites. " "
Sodium theoarsenates. " "
Barium carbonate. Preparations for the destruction of rats and mice.
Mercurial substances—
Mercuric chloride. Agricultural and horticultural fungicides, seed and bulb dressings, insecticides.
Mercuric iodide. Agricultural and horticultural fungicides, seed and bulb dressings.
Organic compounds of mercury. " " " "
Nitrobenzene. Agricultural and horticultural insecticides, substances for the treatment of bee disease.

SIXTH SCHEDULE

STATEMENT OF PARTICULARS AS TO PROPORTIONS OF THE POISON IN CERTAIN CASES PERMITTED BY RULE 16 (2)

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