

ORDINANCE No. 36 of 1956.
PHARMACY AND POISONS ORDINANCE, 1956.

I assent.

P. M. RENISON,

Governor.

10th October, 1956.

Arrangement of Sections.

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An Ordinance to make better provision for the control of the profession of Pharmacy and the trade in Drugs and Poisons.

[13th October, 1956.]

A.D. 1956. Enacted by the Legislature of British Guiana:—

PART I
 PRELIMINARY

- Short title. 1. This Ordinance may be cited as the Pharmacy and Poisons Ordinance, 1956.
- Interpretation. 2. In this Ordinance unless the context otherwise requires —
- Cap. 45. “arrangement with creditors” means a composition or scheme made in pursuance of the law for the time being in force relating to insolvency or a deed of arrangement to which the Deeds of Arrangement Ordinance applies;
- “authorised seller of poisons” means any of the persons declared by sections 20 and 21 of this Ordinance to be authorised sellers of poisons within the meaning of this Ordinance;
- “the Board” means the Pharmacy and Poisons Board constituted under the provisions of section 3 of this Ordinance;
- “compounding” means mixing, putting together or uniting two or more ingredients ordered in a prescription given by a duly registered medical practitioner or dentist or veterinary surgeon;
- “dispensing” means supplying a medicine or a poison and in accordance with a prescription given by a duly registered medical practitioner or dentist or veterinary surgeon;
- “drug” means any substance used in the composition of medicine for internal or external use;
- “duly registered” means —
- Cap. 12. (a) in relation to a medical practitioner, registered as a medical practitioner under the Colonial Medical Service Ordinance, or any other Ordinance for the time being in force;
- Cap. 134. (b) in relation to a dentist, registered as a dentist under the Colonial Medical Service Ordinance;
- Cap. 258. (c) in relation to a veterinary surgeon, registered as a veterinary surgeon under the Animal Diseases Ordinance;
- (d) in relation to a sicknurse and dispenser, registered

- (3) If, with intent to deceive, a person —
- (a) forges, or uses, or lends to or allows to be used by any other person a certificate of registration or any other certificate issued under this Ordinance; or
 - (b) makes or has in his possession a document so closely resembling any such certificate as aforesaid as to be calculated to deceive;

he shall be liable on summary conviction, in respect of each offence to a fine not exceeding ninety-six dollars, and in the case of a continuing offence, to a further fine not exceeding twenty-four dollars for every day subsequent to the day on which he is convicted for the offence during which the contravention continues.

(4) In this section the expression "forges" has the same meaning as in section 240 of the Criminal Law (Offences) Ordinance.

Cap. 10.

Certificate of registration.

8. Upon the registration of a pharmacist the Registrar shall issue to him without fee a certificate of registration in the prescribed form:

Provided that where a certificate of registration has already been issued to a person there shall be no obligation upon the Registrar to issue a further certificate to him unless he satisfies the Registrar that the original certificate has been lost or destroyed and pays such fee, if any, in respect of the issue of a further certificate as may be prescribed.

Qualifications of pharmacist.

9. (1) No person shall be entitled to registration as a pharmacist unless such person —

- (a) is, at the time of the commencement of this section, registered as a chemist and druggist under the provisions of the Pharmacy and Poisons Ordinance or of any other Ordinance amending the same; or
- (b) shall satisfy the Board that he is entitled to practise in the United Kingdom of Great Britain and Northern Ireland or the Republic of Ireland as an apothecary, chemist and druggist or pharmaceutical chemist; or
- (c) shall pass such an examination as may be required by the Board; or
- (d) holds a certificate or diploma of competency as a chemist and druggist from any college, society, council or board recognised by the Board under any rules made under this Ordinance and shall satisfy the Board that he possesses sufficient skill and knowledge to be registered as a pharmacist.

Cap. 141.

(2) The Board shall, with the approval of the Governor in Council, make rules for regulating the conduct of any examinations which may be prescribed as a condition for registration as a pharmacist under paragraph (c) of subsection (1) of this section, any matters ancillary to or connected with any such ex-

aminations, and the fees to be paid to examiners conducting such examinations.

(3) The Registrar shall issue to candidates who reach the required standard at an examination held under paragraph (c) of subsection (1) of this section a certificate in the prescribed form.

10. (1) Every registered pharmacist shall pay annually such fee as may be prescribed for the retention of his name upon the register and shall make application in that behalf to the Registrar before the 31st January in each year.

Application for retention of name on register.

(2) The name of any registered pharmacist who fails to make such application within such time may be removed from the register by the Registrar upon the direction of the Board.

(3) Where the name of any registered pharmacist has been removed from the register under the provisions of subsection (2) of this section, the Board may subsequently order the restoration of such name to the register upon such terms as the Board may think fit.

11. (1) The Board may direct the Registrar to remove from the register the name of any person —

Removal of names from register.

- (a) whose registration has been obtained by fraud or misrepresentation;
- (b) who ceases to possess, or does not possess, the qualification 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 an offence punishable on information or of any other offence which in the opinion of the Board renders him unfit to practise;
- (d) who has been medically certified to be of unsound mind;
- (e) who is convicted of an offence against the Dangerous Drugs Ordinance, or any Ordinance amending or replacing the same, or this Ordinance which, in the opinion of the Board, renders him unfit to practise;
- (f) who is deemed by the Board guilty of —
 - (i) habitual drunkenness or habitual addiction to any drug; or
 - (ii) such infamous conduct in any professional or other respect as in the opinion of the Board renders him unfit to be allowed to continue the practice of a pharmacist; or
 - (iii) negligence in compounding, dispensing or selling drugs.

Cap. 112.

(2) If the Board directs the Registrar to remove the name of any person from the register it shall, if so required by the person concerned, state in writing the reason for the removal.

(3) Any person whose name the Board has directed the Registrar to remove from the register in pursuance of this section

may, within thirty days of such removal and upon written notice to the Board but not otherwise, appeal in accordance with rules made by the Chief Justice to the Supreme Court (upon which the necessary jurisdiction is hereby exclusively conferred) against the removal of his name from the register. The decision of the Supreme Court shall be final.

(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 person concerned, direct the Registrar to restore to the register, either without fee or on the payment of such fee, not exceeding the prescribed fee payable on registration as a pharmacist any name or entry which has been removed from the register:

Provided that, where an appeal to the Supreme Court against the removal of a name on the register has been dismissed by the Supreme Court a direction under this subsection in respect of that name shall not take effect until the order of the Supreme Court has been received by the Board.

Enquiry before removal of name from register

12. (1) Before directing the removal from the register of the name of any person, the Board shall cause due enquiry to be made by a Committee (hereinafter referred to as the Committee of Enquiry) which shall be constituted in the manner provided by this section. Such person may be represented by a barrister or solicitor who may examine witnesses and address the Board on his behalf.

(2) The Committee of Enquiry shall consist of not less than three members of the Board.

(3) The Chairman of the Committee of Enquiry shall be nominated by the Board.

(4) The Committee of Enquiry shall report its findings and recommendations to the Board.

(5) Pending the hearing of a charge against any person the Board may suspend the registration of such person who shall thereupon cease to practise as a pharmacist.

Certificate to be surrendered upon removal of name from register.

13. Every registered pharmacist whose name is removed from the register under this Part shall surrender the certificate of registration to the Registrar for cancellation.

Publication of registration in the Gazette.

14. (1) The Registrar, in the month of April in every year, shall cause to be printed and published in the Gazette a correct register of all those persons registered as pharmacists on the 31st March preceding, and in the register the names shall be in alphabetical order according to the surnames and it shall be in the prescribed form.

(2) The printed register shall be called the register of pharmacists, and a copy of the Gazette containing it shall be evidence, in all courts of law, that those therein specified are registered under this Ordinance; and the absence of the name of any person from the printed register shall be *prima facie* evidence that that person is not registered under this Ordinance.

15. Any Registrar who wilfully makes or causes to be made any falsification of the register, and any person who wilfully procures himself to be registered or procures the retention of his name upon the register by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, and any person aiding or assisting him therein, shall be guilty of an offence, and on summary conviction thereof shall be liable to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Offences relating to registration.

16. No person who is a duly registered medical practitioner, dentist or veterinary surgeon shall be entitled to be registered under this Part; and if any registered pharmacist obtains that diploma or licence his name shall be struck off the register during such time as he remains a member of that profession or is engaged in that practice.

Persons not to be registered.

17. Registration under this Part shall not entitle any person to practise medicine or surgery, or any branch of medicine or surgery, or to hold himself out as doing so.

Limit of effect of registration.

18. (1) The name of a person shall not be entered on the register unless his certificate of competency is produced and the Registrar is satisfied of the identity of the person named therein and of the person claiming to be registered.

Evidence before registration.

(2) Any person aggrieved by the decision of the Registrar may appeal to the Board.

19. (1) No person other than a person duly registered as a pharmacist under the provisions of this Ordinance shall assume or use the title of Pharmacist, Chemist and Druggist, Chemist, Druggist or Dispensing Chemist or any name, title, or sign implying that he is registered under this Ordinance:

Prohibition of any unregistered person assuming titles.

Provided that the use of any of these titles or signs on any premises kept in conformity with sections 20 and 21 of this Ordinance, or the use of the title Analytical Chemist or Consulting Chemist by any person holding a diploma of the Royal Institute of Chemistry of Great Britain and Ireland, or by any person at the commencement of this Ordinance practising in that character in the Colony, if in either case he is not engaged in the trade of retailing and dispensing drugs or poisons, shall not be deemed a breach of this section.

(2) It shall not be lawful for a person to use in connection with any business any title, emblem or description reasonably calculated to suggest that he or any person employed in the business possesses any qualification with respect to the selling, dispensing or compounding of any drugs or poisons other than the qualification which he in fact possesses.

For the purpose of this subsection the use of the description "pharmacy" or "drug store" in connection with a business carried on in 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 in those premises are registered pharmacists.

(3) Any person who acts in contravention of the foregoing provisions of this section shall be guilty of an offence and shall, on summary conviction thereof, be liable in respect of each offence to a fine not exceeding ninety-six dollars and in respect of a continuing offence, to a further fine not exceeding twenty-four dollars for every day subsequent to the day on which he is convicted of the offence during which the contravention continues.

20. (1) A registered pharmacist carrying on a business which comprises the retail sale of drugs shall be an authorised seller of poisons within the meaning of this Ordinance if the following conditions are complied with —

Conditions to be fulfilled by pharmacist in order to become authorised seller of poisons.

- (a) in each set of premises where the business is carried on, the business must, so far as concerns the retail sale of drugs, be under the personal control of the pharmacist himself or of some other registered pharmacist;
- (b) the name and certificate of registration of the person having control of the business as aforesaid must be conspicuously exhibited in the premises;
- (c) in each set of premises where the business is carried on the selling, retailing, dispensing or compounding of drugs shall be by or under the direct charge and supervision of the pharmacist himself or of some other registered pharmacist;
- (d) in each set of premises where the business is carried on the registered pharmacist under whose charge and supervision drugs are sold, retailed, dispensed or compounded shall not leave the premises or part thereof as may be used for selling, retailing, dispensing or compounding such drugs open during his absence without leaving some other registered pharmacist in charge thereof and actually in attendance therein, unless before leaving he puts away and properly secures all poisons named in Part I of the Poisons List.

(2) Where a person qualified under paragraph (a) of subsection (1) of section 9 of this Ordinance for registration as a pharmacist was on the 30th of June, 1956, carrying on a business which comprises the retail sale of drugs in more than one set of premises the conditions set out in paragraphs (a), (c) and (d) of subsection (1) of this section shall not apply to such person prior to the 1st of July, 1961.

21. (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 Ordinance if the following conditions are complied with—

Conditions to be fulfilled by body corporate in order to become authorised seller of poisons.

- (a) the business must, so far as concerns the keeping, retailing, dispensing and compounding of poisons, be under the management of a manager in relation to whom the following requirements are fulfilled---

- (i) he must be a registered pharmacist;
 - (ii) a statement in writing signed by him and on behalf of the body corporate stating his name and specifying whether or not he is a member of the board of the body corporate must have been sent to the Registrar;
 - (iii) he must 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 must, so far as concerns the retail sale of drugs, be carried on under the personal control of a registered pharmacist; and
 - (c) the name and certificate of registration of the person having control of the business as aforesaid, whether he is the manager or some other person, must be conspicuously exhibited in the premises; and
 - (d) in each set of premises where the business is carried on, the selling, retailing, dispensing or compounding of drugs or poisons shall be by or under the direct charge and supervision of a registered pharmacist; and
 - (e) no registered pharmacist under whose direct charge and supervision drugs and poisons as aforesaid are sold, retailed, dispensed or compounded shall leave such shop or such part thereof as may be used for selling, retailing, dispensing or compounding such drugs or poisons open during his absence without leaving some registered pharmacist in charge thereof and actually in attendance therein, unless before leaving he puts away and properly secures all poisons named or described in Part I of the Poisons List.

(2) Notwithstanding the restrictions imposed by the foregoing provisions of this Ordinance on the use of certain titles, emblems and descriptions, a body corporate which is an authorised seller of poisons may use the description of Pharmacist, or of Chemist, or of Druggist, or of Dispensing Chemist or Dispensing Druggist, and may use the description of Pharmacy or Drug Store in connection with the business:

Provided that nothing in this subsection shall authorise the use of any of the said descriptions in or on any premises which are for the time being disqualified by virtue of a direction 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 an offence under this Ordinance

- (b) any member of the Board of management 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 Ordinance, 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.

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

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

22. (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 insolvent or enters into any arrangement with his creditors, any representatives who hereafter 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) of this section, be authorised sellers of poisons within the meaning of this Ordinance 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) of this section 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, poisons, patent or proprietary medicines must be under the personal control of a registered pharmacist;
- (b) the name and certificate of registration of the persons having the control of the business as

Continuation of business of pharmacist by representatives in case of death etc.

aforesaid must be conspicuously exhibited in the premises; and

- (c) no registered pharmacist under whose direct charge and supervision drugs and poisons as aforesaid are sold, retailed, dispensed or compounded shall leave such shop or such part thereof as may be used for selling, retailing, dispensing or compounding such drugs or poisons open during his absence without leaving some registered pharmacist in charge thereof and actually in attendance therein, unless before leaving he puts away and properly secures all poisons named or described in Part I of the Poisons List.

(3) The requirements to be satisfied under subsection

(1) of this section 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) of this section 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 insolvency of a pharmacist, a period of three years from the date when he became of unsound mind or was adjudged insolvent;
- (c) in the case of an arrangement with the creditors of a pharmacist, a period of three years from the date when the representative 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 the Ordinance, recommend 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 under section 21 of the Civil Law of British Guiana Ordinance, to exercise in relation to a person of unsound mind not so found by inquisition any of the powers of a judge in lunacy, and includes, 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.

Registration
of premises.

23. (1) Every authorised seller of poisons shall cause all the sets of premises where his business, so far as it comprises the retail sale of drugs, poisons, patent or proprietary medicines, is being carried on to be registered under this section.

(2) An application for registration under this section shall be made in the manner prescribed by rules, and it shall be the duty of the Registrar to keep in the prescribed form a register for the purposes of this section (in this Ordinance referred to as "the register of premises") and, on payment of such fee as hereinafter provided, to enter therein all sets of premises in respect of which an application for registration is duly made.

(3) On an application for registration under this section there shall be payable such fee, in respect of registration of any premises as may be prescribed, and the owner of the business carried on in any premises entered in the register shall pay such fee as may be prescribed (in this section referred to as a "retention fee") in respect of the retention of the premises on the register of premises in any year subsequent to the year in which the premises were first registered under this section in pursuance of an application made by him:

Provided that persons engaged exclusively in the sale of drugs, poisons, patent or proprietary medicines by wholesale shall pay such fees as are prescribed.

(4) If a person on whom a demand has been made in the manner prescribed for payment of a retention fee payable by him under this section fails to pay the fee within two months after the date on which the demand therefor was made, the Board may remove the premises from the register of premises, but if, either within the year in respect of which the fee is payable or such longer period as the Board may allow, the owner of the business carried on in the premises pays to the Registrar, the retention fee, together with such additional sum, if any, by way of penalty for the default, as may be prescribed, the premises shall be restored to the register, and, if the Board so directs, the restoration shall have effect as from the date on which the premises were removed from the register.

(5) The registration of any premises under this section shall become void on the expiration of the twenty-eight days from the date of any change in the ownership of the business carried on therein.

(6) A document purporting to be a certificate signed by the Registrar, stating that, on a specified date specified premises were, or were not registered under this section shall be admissible in any proceedings as evidence that those premises were, or were not registered on that date.

(7) In this section the expression "year" means a period of twelve months beginning on such date as the Board may from time to time determine.

24. (1) Every authorised seller of poisons shall in the month of January in each year send to the Registrar a list of all the sets of premises where his business, so far as it comprises the retail sale of drugs, poisons, patent or proprietary medicines, is being carried on and the name of the registered pharmacist having the personal control of the business on each set of premises.

(2) An authorised seller of poisons who fails to comply with the provisions of this section shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty-four dollars and to a further fine not exceeding five dollars for every day subsequent to the day on which he is convicted of the offence during which the default continues.

PART IV

POISONS

The Poisons List

25. As from the appointed day the provisions of the Pharmacy and Poisons Ordinance relating to the sale and supply of poisons and poisonous substances shall cease to have effect and in lieu thereof the following provisions of this Part of this Ordinance shall have effect.

Authorised seller of poisons to furnish Registrar with lists of premises and pharmacists in charge.

Substitution of new provisions for existing provisions as to sale of poisons. Cap. 241.

The Poisons List to be prepared by the Board and approved by the Governor in Council.

26. (1) The Board shall as soon as may be after the passing of this Ordinance prepare and submit to the Governor in Council for his approval, a list of the substances which are to be treated as poisons for the purposes of this Ordinance.

(2) The list to be prepared under this section shall be divided into two parts as follows—

Part I of the list shall consist of those poisons which, subject to the provisions of this Ordinance, are not to be sold except by a person who is an authorised seller of poisons.

Part II of the list shall consist of those poisons which, subject to the provisions of this Ordinance, are not to be sold except by a person who is an authorised seller of poisons or whose name is entered in a list kept by the Board of persons who are to be entitled to sell poisons in Part II of the list.

(3) In determining the distribution of poisons as between Part I and Part II of the said list, regard shall be had to the desirability of restricting the said Part II to articles which are in common use, or likely to come into common use, for purposes other than the treatment of human or animal ailments, and which it is reasonably necessary to include in the said Part II if the public are to have adequate facilities for obtaining them.

(4) The Governor in Council may by order confirm the list, with or without modifications, as he thinks proper:

Provided that where the Governor in Council proposes to confirm the list with modifications he shall inform the Board of the proposed modifications and give to the Board a reasonable opportunity of making any observations with respect thereto, and shall before finally confirming the list, take into consideration any observations so made.

(5) The Governor in Council may from time to time after consultation with or on the recommendation of the Board, by order amend or vary the said list as he thinks proper.

(6) The list, when confirmed, and all amendments and variations of it shall be published in the Gazette.

(7) The said list as in force for the time being is in this Ordinance referred to as the Poisons List, and the expression "poison" means a poison included in the Poisons List.

Supply of Poisons

Sale of
poisons in
Part I of the
Poisons List.

27. (1) Subject to the provisions of this Part of this Ordinance no person shall sell any poison in Part I of the Poisons List unless—

- (a) he is an authorised seller of poisons under this Ordinance; and
- (b) the sale is effected on registered premises; and
- (c) the sale is effected by, or under the supervision of, a registered pharmacist; and
- (d) the person to whom such poison is sold is—
 - (i) known to the seller to be a person to whom the poison may properly be sold; or
 - (ii) introduced to the seller by a person known both to the seller and to the person introduced, as a person to whom the poison may properly be supplied:

Provided that —

- (a) where the purchaser is a duly registered medical practitioner, veterinary surgeon, or dentist, an order signed by the purchaser may be accepted in place of the signature in the book aforesaid, and the seller shall enter therein the words "signed order" and retain the order for a period of two years; and
 - (b) in cases of emergency, any poison named in Part I of the Poisons List may on the undertaking of a duly registered medical practitioner, veterinary surgeon, or dentist, to furnish a signed order therefor within twenty-four hours, be sold without the immediate requirement of the signed order or of the purchaser's signature in the book.
- (2) The seller of such poison shall not deliver it until—
- (a) he has made or caused to be made an entry in a book kept for the purpose to be called the Poisons Book stating in the form prescribed the date of the sale, the name and address of the purchaser and of the person introducing him (if any), the name and quantity of the article sold

(3) In determining the distribution of poisons as between Part I and Part II of the said list, regard shall be had to the desirability of restricting the said Part II to articles which are in common use, or likely to come into common use, for purposes other than the treatment of human or animal ailments, and which it is reasonably necessary to include in the said Part II if the public are to have adequate facilities for obtaining them.

(4) The Governor in Council may by order confirm the list, with or without modifications, as he thinks proper:

Provided that where the Governor in Council proposes to confirm the list with modifications he shall inform the Board of the proposed modifications and give to the Board a reasonable opportunity of making any observations with respect thereto, and shall before finally confirming the list, take into consideration any observations so made.

(5) The Governor in Council may from time to time after consultation with or on the recommendation of the Board, by order amend or vary the said list as he thinks proper.

(6) The list, when confirmed, and all amendments and variations of it shall be published in the Gazette.

(7) The said list as in force for the time being is in this Ordinance referred to as the Poisons List, and the expression "poison" means a poison included in the Poisons List.

Supply of Poisons

27. (1) Subject to the provisions of this Part of this Ordinance no person shall sell any poison in Part I of the Poisons List unless—

- (a) he is an authorised seller of poisons under this Ordinance; and
- (b) the sale is effected on registered premises; and
- (c) the sale is effected by, or under the supervision of, a registered pharmacist; and
- (d) the person to whom such poison is sold is—
 - (i) known to the seller to be a person to whom the poison may properly be sold; or
 - (ii) introduced to the seller by a person known both to the seller and to the person introduced, as a person to whom the poison may properly be supplied:

Provided that—

- (a) where the purchaser is a duly registered medical practitioner, veterinary surgeon, or dentist, an order signed by the purchaser may be accepted in place of the signature in the book aforesaid, and the seller shall enter therein the words "signed order" and retain the order for a period of two years; and

Sale of poisons in Part I of the Poisons List.

(b) in cases of emergency, any poison named in Part I of the Poisons List may on the undertaking of a duly registered medical practitioner, veterinary surgeon, or dentist, to furnish a signed order therefor within twenty-four hours, be sold without the immediate requirement of the signed order or of the purchaser's signature in the book.

- (2) The seller of such poison shall not deliver it until—
- (a) he has made or caused to be made an entry in a book kept for the purpose to be called the Poisons Book stating in the form prescribed the date of the sale, the name and address of the purchaser and of the person introducing him (if any), the name and quantity of the article sold, and the purposes for which it is stated by the purchaser to be required;
 - (b) the purchaser and the person introducing him (if any) have affixed their signatures to the aforesaid entry.

Sale of
poisons in
Part II of
the Poisons
List.

28. Subject to the provisions of this Part no person shall sell any poisons in Part II of the Poisons List unless—

- (a) he is an authorised seller of poisons and the sale is effected on premises duly registered under this Ordinance; or
- (b) he is licensed to sell poisons in Part II of the Poisons List under the provisions of section 35 of this Ordinance and the sale is effected on premises duly registered under this Ordinance.

Labelling of
poisons.
Second
schedule.

29. It shall not be lawful for a person to supply any poison mentioned in the Poisons List or in the second schedule to this Ordinance unless the container of the poison is labelled in the prescribed manner—

- (a) with the name of the poison;
- (b) in the case of a preparation which contains a poison as one of the ingredients thereof, with the prescribed particulars as to the proportion which the poison contained in the preparation bears to the total ingredients;
- (c) with the word "poison" and any other prescribed indication of the character of the article; and
- (d) if supplied on sale, with the name and address of the person by whom it is sold and the name of the premises on which it is sold.

30. It shall not be lawful for a person to sell any arsenic unadmixed with other drugs unless before the sale thereof it is mixed with soot or indigo in the proportion of one ounce of soot, or half an ounce of indigo, at the least, to one pound of the arsenic, and so in proportion for any greater or lesser quantity:

Sale of
arsenic.

Provided that where arsenic is stated by the purchaser to be required for some purpose for which that admixture would, according to the representation of the purchaser, render it unfit, the arsenic may be sold without the admixture in a quantity of not less than ten pounds at any one time.

31. (1) Nothing in sections 27, 28 and 29 of this Ordinance shall apply—

- (a) to a medicine which is supplied by a duly qualified medical practitioner for the purpose of medical treatment, by a duly registered dentist for the purpose of dental treatment or by a duly registered veterinary surgeon for the purpose of animal treatment; or
- (b) to a medicine supplied or dispensed by any hospital, dispensary or similar institution approved by the Board; or
- (c) to a medicine which is dispensed by an authorised seller of poisons on premises duly registered under this Ordinance; or
- (d) to a poison forming part of the ingredients of a medicine which is supplied by an authorised seller of poisons on premises duly registered under this Ordinance, if the provisions of subsections (2) and (5) of this section are not satisfied in relation thereto.

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

(3) On the day on which the medicine is supplied or dispensed or, if that is not reasonably practicable, on the day next following that day, there shall be entered in a book which is used regularly for the purpose of this provision but which need not be used exclusively for that purpose 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 an authorised seller of poisons, the name or initials and, if it is known, the address of the person by whom, and the name, 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 of the person to whom it was supplied.

(4) In the case of a medicine which is supplied or dispensed by a person who is an authorised seller of poisons and is compounded by the person supplying or dispensing it or by a person in his employment, the medicine must have been compounded by or under the direct supervision of a registered pharmacist.

(5) In the case of a medicine which is supplied or dispensed by a person who is an authorised seller of poisons, the

Medicines
supplied by
duly regis-
tered medical
practitioners
and others.

supplying or dispensing of the medicine must be effected by or under the direct and personal supervision of a registered pharmacist.

Drugs and
poisons sold
by sick-
nurses and
dispensers.

32. (1) Any person who at the commencement of this Ordinance was duly registered as a sicknurse and dispenser and was at that time and still is the proprietor of an established business for selling, retailing, dispensing or compounding of drugs, poisons, patent or proprietary medicines within the municipal boundaries of the city of Georgetown and the town of New Amsterdam, may retail, dispense, supply or compound any drug or poison other than those contained in Part I of the Poisons List if the retailing, dispensing, supplying or compounding as the case may be is effected on premises registered under this Ordinance.

(2) The Board may grant any duly registered sicknurse and dispenser so registered at the commencement of this Ordinance permission to sell in specified premises drugs and poisons other than those set out in Part I of the Poisons List.

(3) The Board may grant any duly registered sicknurse and dispenser permission for a period not exceeding three years to sell drugs and poisons other than those set out in Part I of the Poisons List in specified premises:

Provided that such permission shall not be granted where a registered pharmacist is practising as such within a radius of three miles from the premises in respect of which such permission is sought.

Provided further that if during the term for which such permission has been granted a registered pharmacist commences to practise as such within the aforesaid radius of three miles, a sicknurse and dispenser may continue to sell such drugs and poisons for the unexpired portion of his permission.

33. (1) Except as is hereinafter specifically provided nothing in the foregoing provisions of this Ordinance shall extend to or interfere with —

(a) the sale of any substance mentioned in the Third Schedule to this Ordinance;

(b) the sale of drugs mentioned in the Fourth Schedule and patent or proprietary medicines not containing a poison provided that the following conditions are observed —

(i) such drugs are put up in sealed parcels or packets by a registered pharmacist;

(ii) such parcels or packets are labelled with the date on which they were put up and the signature and stamp of the registered pharmacist by whom they were put up;

(iii) such drugs and patent or proprietary medicines are sold in premises registered under this Ordinance situate not less than two miles from the nearest premises registered under this Ordinance and under the personal control of a registered pharmacist.

Special
provisions
in the case
of certain
transactions.

Third
schedule.
Fourth
schedule.

Provided that the conditions set out in subparagraphs (i) and (ii) hereof shall not apply to a person who, on the 30th of June, 1956, was within the municipal boundaries of the city of Georgetown or the town of New Amsterdam carrying on a business which consisted principally of selling any such drugs or patent or proprietary medicines so long as such patent or proprietary medicines are sold in the unbroken containers in which such drugs or patent or proprietary medicines have been put up by the manufacturers thereof:

Provided further that the condition set out in subparagraph (iii) hereof shall not apply:—

- (i) to any such person other than a company incorporated under the provisions of the Companies Ordinance who on the 30th of June, 1956, was, within the municipal boundaries of the city of Georgetown or the town of New Amsterdam, carrying on such business;
- (ii) prior to the 1st of July, 1961, to any such company which was on the 30th of June, 1956, carrying on such business within the municipal boundaries aforesaid.
- (c) the sale of drugs and medicines mentioned in the Fifth Schedule to this Ordinance by a licensed seller of poisons, in premises registered under this Ordinance, for use in trade or industry or for agricultural or horticultural purposes;
- (d) the sale of an article to a duly registered medical practitioner, dentist or veterinary surgeon for the purpose of his profession;
- (e) the sale of an article for use in or in connection with any hospital, infirmary, dispensary or similar institution approved by the Board;
- (f) the sale of an article by a person carrying on a business in the course of which poisons are regularly sold either by way of wholesale dealing or for use by purchasers thereof in their trade or business to —
 - (a) a person who requires the article —
 - (i) for the purpose of his trade or business; or
 - (ii) for the purpose of enabling him to comply with any requirements made by or in pursuance of any enactment with respect to the medical treatment of persons employed by that person in any trade or business carried on by him; or
 - (b) by a government department or an officer of Government requiring the article for the purposes of the public service or in connection with the exercise by the authority of any statutory powers; or

Cap. 328.

Fifth schedule.

(c) a person or institution concerned with scientific education or research, if the article is required for the purposes of that education or research;

(g) any herb, vegetable, gum, oil or seed (not being a poison), in its natural state, or not specially prepared so as to be fitted for medical use only, though it may be used in medicine;

(h) articles, not being poisons, which are to be used for flavouring foods or drinks, or for perfumery, painting, tanning, dyeing, soap making or any other industrial art or manufacture.

(2) 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.

(3) In the case of poisons 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.

(4) The provisions of section 29 of this Ordinance relating to the labelling of poisons must be complied with:

Provided that where a person represents that he urgently requires a poison for the purpose of his trade, business or profession and satisfies the seller that by reason of some emergency he is unable before delivery to furnish an order in writing as required by subsection (2) of this section the seller may forthwith deliver the poison to the purchaser and in such case a purchaser shall, within twenty-four hours of such sale, furnish the required written order to the seller.

34. (1) Notwithstanding anything contained in this or any Ordinance amending the same the Governor in Council may, in areas remote from the coastlands, authorise the sale of drugs and patent or proprietary medicines by persons not registered as pharmacists.

(2) The drugs or medicines that may be sold in any such area shall be those mentioned in the Sixth Schedule to this Ordinance.

(3) The Registrar shall cause to be published in the Gazette the boundaries of every such area and the names of the persons authorised under subsection (1) of this section to sell such drugs or medicines.

(4) The Governor in Council may make rules regulating the sale of drugs and poisons under this section.

Licensed Sellers of Poisons

35. (1) For the purposes of this Ordinance there may be licensed certain persons who, not being registered pharmacists, shall be entitled to sell poisons in Part II of the Poisons List.

(2) The Board shall be the licensing authority for the purposes of this Part of this Ordinance.

Authority for sale of drugs in areas remote from Coast.

Sixth schedule.

Certain persons may be licensed to sell poisons in Part II of the Poisons List.

(3) Application for a licence to sell poisons in Part II of the Poisons List shall be made to the Registrar in the manner prescribed.

36. (1) If the Board is satisfied that the applicant is a fit and proper person to sell poisons in Part II of the Poisons List and that the premises in which he proposes to carry on such business are suitable the Board may, in its discretion and upon payment of the prescribed fee, issue to the applicant a licence in the prescribed form.

Issue of
Licences.

(2) A licence granted under this section shall authorise the licensee to sell poisons in Part II of the Poisons List in accordance with the provisions of this Ordinance upon the premises specified in this licence and shall expire on the 31st December of the year in which it is granted.

(3) A licence granted under this section may be renewed upon application.

37. The Registrar shall keep a register in the prescribed form of licences issued by the Board under this Part of the Ordinance, and shall publish in the Gazette particulars of such licences.

Register of
licences to
be kept.

38. The Board may refuse to issue a licence or may revoke the licence of any person who, in the opinion of the Board, is, for sufficient reason relating to himself personally or to his premises, not fit to be licensed. In the event of such refusal or revocation an appeal may be made to the Governor in Council whose decision shall be final.

Power of
Board to
refuse grant
of and to
revoke a
licence.

PART V

MISCELLANEOUS PROVISIONS.

39. (1) It shall be the duty of the Board by means of inspection and otherwise, to take all reasonable steps to enforce the provisions of this Ordinance and any rules made therewith, and to secure compliance therewith by registered pharmacists, licensed sellers of poisons, authorised sellers of poisons and sellers of patent or proprietary medicines; and the Board shall for that purpose appoint such number of inspectors as the Board deem necessary.

Inspection
and enforce-
ment of Or-
dinance.

(2) A person shall not be qualified for appointment as inspector under this section unless he is a registered pharmacist and every such appointment shall be subject to the approval of the Governor in Council.

(3) A person appointed as inspector under this section shall hold his office subject to such conditions with respect to salary and otherwise as the Board may with the approval of the Governor in Council determine.

(4) An inspector appointed by the Board under this section shall, for the purpose of enforcing the provisions of this Ordinance and for securing compliance by registered pharmacists, licensed sellers of poisons, authorised sellers of poisons and sellers of patent or proprietary medicines with the provisions of the Ordinance and of all rules made thereunder have power at all reasonable times, to enter any premises, and shall, for the purpose

of securing compliance by other persons with the provisions of the Ordinance and rules made thereunder, so far as those provisions relate to the sale of any drugs, poisons, and patent or proprietary medicines have power to enter any premises which he has reasonable cause to suspect that a breach of the law has been committed in relation to any such drugs, poisons, patent or proprietary medicines, and shall have the power 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 ascertaining whether the provisions of the aforesaid are being complied with.

(5) An inspector appointed by the Board for the purpose of this section shall have power with the consent of the Board to institute proceedings under this Ordinance before a Court of Summary Jurisdiction in the name of the Board and to conduct any proceedings so instituted by him notwithstanding that he is not a barrister or a solicitor.

(6) If a person wilfully delays or obstructs an inspector in the exercise of any powers under this section or refuses to allow any sample to be taken in accordance with the provisions of this section or fails without reasonable excuse to give any information which he is duly required under this section to give, he shall in respect of each offence be liable on summary conviction to a fine not exceeding twenty-four dollars.

Alterations
of Schedules.

40. The Governor in Council may, on the recommendation of the Board by notice published in the Gazette, remove or add any substance from or to any of the Schedules to this Ordinance, and any removal or addition made pursuant to this section shall have the same effect as if enacted in this Ordinance.

Prohibition
as to adulterated
drugs
unfit for use.

41. (1) No person having or keeping open premises for the sale of drugs or medicines shall sell, or offer for sale, any drug or medicine unfit for use.

(2) Any person who contravenes any of the provisions of this section shall be liable to a penalty not exceeding fifty dollars in addition to and irrespective of any penalty to which he may be liable in case he shall not be registered under this Ordinance.

Power to
seize and
destroy
adulterated
drugs.
Cap. 144.

42. The magistrate by whom any person is convicted under section 41 of this Ordinance or under the Sale of Food and Drugs Ordinance, may order the seizure and destruction of the whole of the unfit drugs or medicines in the possession of the offender, in respect of the selling or offering for sale of which, or part of which, he has been convicted.

Power to
make rules.

43. (1) The Governor in Council may make rules with respect to any of the following matters or for any of the following purposes —

(a) regulating the manufacture of pharmaceutical preparation;

- (b) regulating the sale, whether wholesale or retail, or the supply of poisons, by or to any persons or classes of persons and in particular but without prejudice to the generality of the foregoing provisions —
- (i) regulating or restricting the sale or supply of poisons by licensed sellers of poisons or by any class of such persons and prohibiting the sale of any specified poisons or class of poisons by such persons, and
 - (ii) dispensing with or relaxing with respect to poisons any of the provisions of sections 26, 27, 28, 29 and 30 of this Ordinance;
- (c) prohibiting the sale by retail of any specified poison in Part I of the Poisons List except on a prescription duly given by a duly registered medical practitioner, dentist or veterinary surgeon and regulating the use of such prescriptions;
- (d) the storage, transport and labelling of poisons;
- (e) the containers in which poisons may be sold or supplied;
- (f) the addition to poisons of specified ingredients for the purpose of rendering them readily distinguishable as poisons;
- (g) the compounding and dispensing of poisons;
- (h) the labelling of patent or proprietary medicines;
- (i) for prescribing the period for which any books or registers required to be kept for the purpose of this Ordinance are to be preserved;
- (j) for prescribing the period for which any certificate given under the provisions of Part III of this Ordinance is to remain in force;
- (k) the recognition of any certificate or diploma of competency as a chemist and druggist issued by any college, society, council or board for the purposes of section 9 of this Ordinance;
- (l) for requiring persons in control of the manufacture of pharmaceutical preparations containing poisons to be registered pharmacists or persons possessing the prescribed qualification in chemistry;
- (m) for prescribing the fees to be paid for anything to be done under this Ordinance;
- (n) for prescribing anything which is by this Ordinance to be prescribed.

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

Authoritative
pharmacopo-
eias.

44. The British Pharmacopoeia as published in England under the direction of the General Medical Council of the United Kingdom in the edition for the time being in force or, in the case of any drug of foreign origin, the official Pharmacopoeia for the time being in force of the country of origin of such drug, shall be the Pharmacopoeia in force in British Guiana as the standard of quality or composition for all drugs and for the method of preparation of all drugs and of compounding of all mixtures thereof, and for the purposes of this Ordinance, the litre and gramme shall be accepted respectively as legal units of measures and weights.

Fees.

45. All fees received by the Registrar shall be paid by him into revenue.

General
Penalty.

46. Every person who contravenes any of the provisions of this Ordinance for the breach of which no penalty is hereinbefore provided shall be liable to a penalty not exceeding ninety-six dollars, and any penalty imposed hereby may be recovered under the Summary Jurisdiction (Procedure) Ordinance.

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Appeal.

47. Except as is hereinbefore specifically provided, any person feeling aggrieved by a decision of the Board in any matter connected with this Ordinance may appeal therefrom to the Governor in Council within fourteen days after the decision has been communicated in writing to him. The Governor in Council may in its discretion annul or modify such decision.

Repeal of
Cap. 141.

48. The Pharmacy and Poisons Ordinance, as amended from time to time is hereby repealed.

Commence-
ment.

49. (1) This Ordinance shall come into operation on the appointed day.

(2) The appointed day shall be such day as the Governor in Council may by Order appoint, and different days may be appointed for different purposes and for different provisions of this Ordinance.

FIRST SCHEDULE

Section 3 (1)

CONSTITUTION OF THE BOARD

1. The Board shall consist of seven members.
2. On its first constitution the Board shall be composed of the following members namely—
 - The Director of Medical Services;
 - The Government Analyst;
 - The Government Pharmacist;
 - One person appointed by the British Guiana branch of the British Medical Association;
 - One person appointed by the British Guiana Pharmaceutical Society;
 - Two duly registered and practising Chemists and Druggists appointed by the Governor.

3. (1) The member of the Board appointed by the British Guiana branch of the British Medical Association shall hold office for two years from the commencement of this Ordinance and on the expiration of his term of office one person shall be appointed in his place by the British Guiana branch of the British Medical Association.

(2) Of the two duly registered and practising Chemists and Druggists appointed by the Governor as members of the Board, one shall be appointed to hold office for a term of two years from the commencement of this Ordinance and on the expiration of his term of office one duly registered and practising pharmacist shall be appointed in his place by the Governor.

(3) The remaining appointed members of the Board shall each hold office for a term of three years from the commencement of this Ordinance and at the expiration of such term there shall be appointed in their places the following—

- (i) one person, by the British Guiana Pharmaceutical Society; and
- (ii) one registered and practising pharmacist, by the Governor.

4. On the expiration of three years from the commencement of this Ordinance, the Board shall be composed of the Director of Medical Services, the Government Analyst, the Government Pharmacist, one person appointed by the British Guiana branch of the British Medical Association, one person appointed by the British Guiana Pharmaceutical Society and two duly registered and practising pharmacists appointed by the Governor.

5. The appointed members of the Board other than the first appointed members thereof shall hold office for a term of three years.

6. If the place of an appointed member of the Board becomes vacant before the expiration of his term of office, whether by death, resignation or otherwise, the vacancy shall be filled by appointment by the body or person by whom the vacating member was appointed, and any person appointed to fill a casual vacancy shall hold office so long as the member to whose place he was appointed would have held office.

7. Any appointed member of the Board ceasing to be a member thereof shall be eligible for re-appointment or re-election.

8. The Director of Medical Services shall be Chairman of the Board.

9. In the absence of the Chairman the remaining members of the Board shall elect a chairman from among themselves.

10. Four members of the Board shall form a quorum.

11. The powers of the Board shall not be affected by any vacancy in the membership thereof, nor by the fact that it is afterwards discovered that there was some defect in the appointment or qualification of a person purporting to be a member of the Board.

SECOND SCHEDULE

Section 29.

Acetanilide
 Aconite
 Adrenalin
 Alpha
 Eucaïne
 Antimony
 Antipyrin
 Arsenic
 Belladonna
 Beta Eucaïne
 Bromine
 Bromoform
 Cantharides
 Chloral
 Chloroform
 Coca
 Digitalis
 Elaterium
 Ether
 Hemlock
 Heroin
 Hydrocyanic acid
 Iodine
 Mercury
 Nitroglycerin
 Nux vomica
 Opium
 Phenazone
 Phenol
 Phenol-phthalein
 Phosphorus (free)
 Salicylic Acid
 Savin, its oil and any other reputed emmenagogue or
 abortifacient substance.
 Strychnine and all poisonous alkaloids
 Sulphonal }
 Trional } and other synthetic hypnotic and analgesic
 Veronal } substances.

THIRD SCHEDULE Section 33(1) (a)

General Exemptions

Group I

Almonds	Figs
Alum	Ginger
Aniseed	Gum Acacia
Asafoetida	Honey
Barley	Hops
Bees Wax	Horseradish
Carbonate of Soda	Linseed Meal
Cardamom	Linseed Oil
Carraway Seed	Mustard
Chloride of Sodium	Nutmeg
Chalk	Olive Oil
Cloves	Pepper

Pimento
Resin
Soap
Starch
Sugar
Tamarind
Tobacco
Vinegar
Wheaten Flour
White Marble
Yeast

Adhesive; anti-fouling compositions; builders' materials; ceramics; distempers; electric valves; enamels; explosives; fillers; fireworks; glazes; glue; inks; lacquer solvents; loading materials; matches; motor fuels and lubricants; paints other than pharmaceutical paints; photographic paper; pigments plastics; propellants; rubber; varnishes.

Any herb, vegetable, gum, oil, or seed, (not being a poison), in its natural state, or not specially prepared so as to be fitted for medical use only, though it may be used in medicine.

Articles, not being poisons, which are to be used for flavouring foods or drinks, or for perfumery, painting, tanning, dyeing, soap making, or any other industrial art or manufacture.

SPECIAL EXEMPTIONS

GROUP II

Poisons	Substance or article in which exempted
Acetanilide; alkyl acetanilides	Substances not being preparations for the treatment of human ailment.
Alkaloids, the following:- Brucine Emetine	Surgical spirit containing not more than 0.015 per centum of brucine. Ipecacuanha; substances containing less than 0.05 per centum of emetine.

Ephedra, alkaloids of	Substances containing less than one per centum of the alkaloids of ephedra.
Jaborandi, alkaloids of	Substances containing less than 0.025 per centum 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 centum of the alkaloids of lobelia.
Nicotine	Tobacco.
Pomegranate, alkaloids of	Pomegranate bark.
Solanaceous alkaloids	Stramonium contained in preparations for the relief of asthma in the form of cigarettes, smoking mixtures or fumigants.
Stavesacre, alkaloids of	Soaps, ointments; lotions for external use.
Ammonia	Substances not being solutions of ammonia or preparations containing solutions of ammonia; substances containing less than five per centum, weight in weight, of ammonia; refrigerators; smelling bottles.
Antimony, chloride of	Polishes
Arsenical poisons	Pyrites ores or sulphuric acid containing arsenical poisons as natural impurities.
Barium, salts of	Witherite other than finely ground witherite.
Beta-aminopropylbenzene; its salts; its N-alkyl derivatives; their salts; beta-aminoisopropylbenzene; its salts; its N-alkyl derivatives; their salts	Appliances for inhalation in which the poison is absorbed in inert solid material.
Creosote obtained from	Substances containing less than ten per centum of chloroform.
Cresote obtained from wood	Substances containing less than fifty per centum of creosote obtained from wood.
Dinitrocresols	Substances being neither preparations for the treatment of human ailments nor agricultural or horticultural insecticides or fungicides.
Dinitrophenols	Substances not being preparations for the treatment of human ailments.

Formaldehyde ..	..	Substances containing less than five per centum, weight in weight, of formaldehyde; photographic glazing or hardening solutions.
Hydrochloric acid ..	..	Substances containing less than nine per centum, weight in weight, of hydrochloric acid.
Lead acetate ..	..	Substances containing less than four per centum of lead acetate.
Lead, compounds of ..	..	Machine-spread plasters.
Mercuric chloride ..	..	Batteries.
Mercuric chloride; mercuric iodide; organic compounds of mercury	..	Dressings on seeds or bulbs.
Mercury, nitrates of ..	..	Ointment containing less than the equivalent of three per centum, weight in weight, of mercury.
Nitric acid ..	..	Substances containing less than nine per centum, weight in weight, of nitric acid.
Nitrobenzene ..	..	Substances containing less than 0.1 per centum of nitrobenzene; soaps containing less than one per centum of nitrobenzene, polishes.
Oxalic acid; metallic oxalates ..	..	Laundry Blue, polishes.
Paranitrobenzyl Cyanide ..	..	Photographic solutions containing less than the equivalent of 0.1 per centum, weight in weight, of hydrocyanic acid.
Phenols ..	..	Carvacrol; cresote obtained from coal tar; essential oils in which phenols occur naturally; medicines containing less than one per centum of phenols; nasal sprays, mouthwashes, pastilles, lozenges, capsules, pessaries, ointments, or suppositories containing less than 2.5 per centum of phenol; smelling bottles; soaps for washing; solid substances, other than pastilles, lozenges, capsules, pessaries, ointments and suppositories, containing less than sixty per centum of phenol; tar (coal or wood), crude or refined; tertiary butyl-cresol; thymol.

Phenylene diamines; toluene diamines; other alkylated-benzene di- amines; their salts	Substances other than preparations for dyeing of hair.
Phosphorous compounds, the following:— Bis-dimethylaminophos- phonous anhydride, diethylparanitrophenyl thiophosphate, hexa- ethyltetraphosphate, tetraethyl pyrophos- phate	Substances other than agricultural or horticultural insecticides or fungicides.
Picric acid	.. Substances containing less than five per centum of picric acid.
Potassium hydroxide	.. Substances containing less than twelve per centum of potassium hydroxide; accumulators; batteries.
Sodium ethyl mercur- ithiosalicylate	.. Therapeutic substances containing less than 0.1 per centum of sodium ethyl mercurithiosalicylate as a preservative.
Sodium fluoride	.. Substances containing less than three per centum of sodium fluoride as a preservative.
Sodium hydroxide	.. Substances containing less than twelve per centum of sodium hydroxide.
Sodium silicofluoride	.. Substances containing less than three per centum of sodium silico- fluoride as a preservative.
Sulphuric acid	.. Substances containing less than nine per centum, weight in weight, of sulphuric acid; accumulators; batteries; fire extinguishers.

FOURTH SCHEDULE

Section 33(1) (b).

Ansons Ringworm Cure	* Ferrol
* Alophen Pills	* Ferrol Compound
Alcosulph Lotion	* Ferrozone Tablets
Aspirin Tablets	
Alka-Seltzer	
Andrew's Liver Salt	Germolene
Beecham's Pills	Hamilton Pills
Birly's Antacid Powder	Herb Teas
Brooklax	H.T.C. Cough Syrup
Braithwaites Rheumatic Remedy	Hydrogen Peroxide
*Bynin Amara	
Buckley's Cough Mixture	
„ Jack & Jill	I-Eze
„ White Rub	Infants Teething Powders
	„ Preservative

Canadian Healing Oil	Kellog's Asthma Remedy
Catarrhazone	" Eye Water
Carter's Pills	Kruschen Salts
Cascara Tablets	Kurakold Inhalant
Capsolin Ointment	" Inhalers
Chase's Kidney Pills	" Salve
Clarke's Liver Invigorator	Kurapain Liniment
Cod Liver Oil	
* Cystex	Lydia Pinkham's Veg. Compound
DeWitts Pills	Lydia Pinkham's Veg. Tablets
Dettol	Lydia Pinkham's Sanative Wash
Doan's Pills	
Elliman's Embrocation	
Eno's Fruit Salts	
* Mother Greaves Worm Exterminator	Sanatogen
Malt & Cod Liver Oil	Sacrool
Magi Healing Oil	Scott's Emulsion
Manzan Pile Remedy	Sloan's Liniment
Minard's Liniment	Swamp Root
Milk of Magnesia	
McLean's Stomach Powder	Thermogene Rub
Morses Pills	
Murine Eye Water	Vapex
	Vicks Vaporub
Nedd's Sulphur Bitters	Vicks Inhalers
Nixoderm	* Vi-Tabs
Nutrophos	
Pepphos	* Wampole's Preparation
Phosferine	White Pine Cough Syrup
Phensic Tablets	Woodward's Gripe Water
Phostone	
Polson's Green Syrup	Zubes Cough Remedy
Radway's Ready Relief	
Roberts Syrup	
Rectors Blood Purifier	
" Cough Syrup	
" Diarrhoea Mixture	
" Eye Water	
" Fever Mixture	
" Gargle	
" Influenza Mixture	
" Indigestion Mixture	
" Kidney & Bladder Pills	
" Ringworm Cure	

Patent or Proprietary medicines marked with an asterisk contain POISON.

FIFTH SCHEDULE.

Section 33 (1) (c)

Poison	Form to which sale is restricted.
Ammonia	In a closed container as received from the manufacturer or wholesaler.
Arsenical substances—	
Arsenic 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 thioarsenates	” ”
Barium carbonate	Preparations for the destruction of rats and mice.
Dinitrocresols	Agricultural and horticultural insecticides and fungicides.
Hydrochloric acid	In a closed container as received from the manufacturer or wholesaler.
Mercury	Agricultural and horticultural fungicides, seed and bulb dressings, insecticides.
Mercurial substances	”
Mercuric chloride	”
Mercuric iodide	”
Mercury, Organic compounds	”
Metallic Oxalates other than potassium quadroxalate	Photographic solutions or materials.
Nitrobenzene	Agricultural and horticultural insecticides; substances for the treatment of bee disease; ointments for the treatment of animals.
Nitric Acid	In a closed container as received from the manufacturer or wholesaler.
Potassium quadroxalate	”
Sulphuric acid	”
Zinc Phosphide	Preparations for the destruction of rats and mice.

SIXTH SCHEDULE.

Section 34 (2)

A—The drugs listed under Group I—General Exemptions in Second Schedule to this Ordinance.	
B—Acid, Acetic	Lanolin
Acid, Boric	Lime, Chlorinated
Acid, Citric	Liniment, Camphor
Acid, Tartaric	" Soap
Ammonium Bi-Carbonate	Tincture Iodine
Ammoniated Quinine	Liniment, Turpentine
Aromatic Spirits of Ammonia	Liquorice juice
(Sal Volatile)	Jalap and Compound Jalap Powder
Bark, Peruvian	Magnesia
Beeswax	Mercurochrome Solution 1%
Bicarbonate of Soda	
Calomel in single dose	Ointment of Zinc, Sulphur
Packets not exceeding 3 grains.	
Camphor	Iodoform, Boracic, and Carbolic.
Carbolic Oil (1 in 40)	Paregoric with dose affixed and Labelled "Poison".
Castor Oil	Petroleum Jelly
Chamomile Flowers	Plaster, adhesive
Compound Tincture of Lavender	" Resin (white)
Condy's Crystals (Potassium)	" Roberons (red)
Citronella Oil (Permanganate)	" Zinc Oxide
Cream of Tartar	Potass Nitrate (Salt Petre)
Dill Water	Quassia
Disinfectant—Black Fluid	Quinine Sulphate
Epsom Salts	Rhubarb and compound
Eucalyptus Oil	Rhubarb Powder
Friar's Balsam	Seidlitz Powder
Glauber's Salts	Senna, Leaves and Pods
Glycerine	Steel Drops
	Sweet Spirits of Nitre.

Passed by the Legislative Council this twentieth day of September, nineteen hundred and fifty-six.

i. d. Spurrington
Clerk of the Legislature.

(Med. 71/3/5 III).
(Leg. Bill 2 of 1956).