

1975 Bill 53
(Second Session)

First Session, 18th Legislature, 24 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 53

THE PHARMACEUTICAL ASSOCIATION AMENDMENT ACT, 1975

MR. MUSGREAVE

First Reading

Second Reading

Third Reading

Bill 53
Mr. Musgreave

BILL 53

1975

(Second Session)

THE PHARMACEUTICAL ASSOCIATION AMENDMENT ACT, 1975

(Assented to , 1975)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1. *The Pharmaceutical Association Act is hereby amended.*

2. *Section 2 is amended*

(a) *as to clause (h), subclause (ii) by striking out the words "Parts 1 and 2 of Schedule B" and by substituting therefor the words "Schedules 2 and 3", and*

(b) *by striking out clause (j) and by substituting the following clause:*

(j) "proprietary medicine" means

(i) a proprietary or patent medicine that is

(A) registered under the *Proprietary or Patent Medicine Act* (Canada), and

(B) prior to July 1, 1976, put up in a package or bottle and labelled,

or

(ii) a proprietary medicine within the meaning from time to time assigned to that expression by regulations made under the *Food and Drug Act* (Canada);

3. *Section 21, subsection (1) is amended by striking out the word "and" at the end of clause (i), by adding the word "and" at the end of clause (j) and by adding after clause (j) the following clause:*

(k) prescribe training or educational requirements to be completed from time to time, or during a period or periods of time, by members of the Association.

4. *Section 32 is amended by striking out subsection (2) and by substituting therefor the following subsections:*

Explanatory Notes

1. This Bill will amend chapter 274 of the Revised Statutes of Alberta 1970.

2. The first amendment involves a renumbering of the present Schedules in the Act to avoid confusion with the alphabetically designated Schedules in the Food and Drug Act (Canada). The second amendment is designed to complement corresponding federal legislation relating to the repeal of the Proprietary or Patent Medicine Act (Canada) effective July 1, 1976.

3. This amendment will permit the council to prescribe courses of continuing education for members of the Association.

4. This amendment revises and simplifies the requirements for admission into the Association.

(2) The registrar of the Association shall enter in the register the name of every person who

- (a) applies in person,
- (b) has attained the age of 18 years,
- (c) is of good character and reputation,
- (d) does not have his name struck from the register of any pharmaceutical association or society or college of pharmacy or similar body in Canada or elsewhere as a result of misconduct, professional or otherwise,
- (e) is a Canadian citizen or has been lawfully admitted to Canada for permanent residence,
- (f) holds
 - (i) the degree of Bachelor of Science in Pharmacy granted by any university under *The Universities Act*, or
 - (ii) a certificate of qualification issued by the Pharmacy Examining Board of Canada established by chapter 77 of the Statutes of Canada, 1963 if at least one member of the Association is a member of that Board at the time the certificate is issued,
- (g) possesses a certificate issued by or on behalf of the council certifying that the applicant has satisfied the internship requirements prescribed by the by-laws, and
- (h) pays the prescribed fee.

(3) The council shall prescribe the forms to be completed and the evidence to be provided to the registrar by an applicant for registration to prove that the applicant has met the requirements for registration.

(4) If the name of a pharmaceutical chemist is removed from the register of the Pharmacy Examining Board of Canada, the certificate of registration issued under this Act to that pharmaceutical chemist becomes void and the registrar shall remove that person's name from the register of the Association.

5. *Sections 33, 34, 35, 36 and 38 are struck out.*

6. *Section 40 is amended*

- (a) *as to subsection (1) by striking out the words "Schedules A and B" in clauses (a) and (b) and by substituting therefor the words "the Schedules to this Act", and*
- (b) *by striking out subsection (2) and by substituting therefor the following subsection:*

5. This amendment removes provisions relating to registration which are replaced by the amendments to section 32.

6. The first amendment deals with the renumbering of the Schedules. The second amendment relates to the changed definition of proprietary medicine and to the proposed repeal of the Proprietary or Patent Medicine Act (Canada).

(2) Subsection (1), clause (f) does not prohibit the use of the designation “medicine” in conjunction with the word “proprietary” or “patent” or the use of the name of any proprietary medicine.

7. Section 49, subsection (1) is amended by striking out all the words following clause (b) and by substituting therefor the following words:

“the list of substances in any part of the Schedules to this Act and may move a substance from one Schedule to another Schedule.”.

8. Section 51 is amended

- (a) as to subsection (1) by striking out the words “Schedule A or B” and by substituting therefor the words “Schedule 1, 2 or 3”, and
- (b) as to subsection (2) by striking out the words “Schedules A and B” and by substituting therefor the words “the Schedules to this Act”.

9. Section 52 is amended

- (a) as to subsection (1) by striking out the words “Part 1 of Schedule B” and by substituting therefor the words “Schedule 2”,
- (b) as to subsection (3) by striking out the words “Part 1 or Part 2 of Schedule B” and by substituting therefor the words “Schedule 2 or 3”, and
- (c) as to subsections (5) and (6) by striking out the words “Schedule A” and by substituting therefor the words “Schedule 1”.

10. Schedule A is amended

- (a) by striking out the words “SCHEDULE A” and by substituting therefor the words “SCHEDULE 1”,
- (b) as to the instructions for the Schedule by striking out the words “Schedule A” and by substituting therefor the words “Schedule 1”,
- (c) as to the italicized words following the heading “Fluorides for oral or topical use” by striking out the words “see Part 2 of Schedule B” and by substituting therefor the words “see Schedule 3”.

11. Schedule B, Part 1 is amended

- (a) by striking out the words “SCHEDULE B” and “PART 1” and by substituting therefor the words “SCHEDULE 2”,

7. This amendment relates to the renumbering of the Schedules. Section 49, subsection (1) presently reads:

49. (1) Subject to the approval of the Lieutenant Governor in Council, the council by resolution may

(a) add any substance to, or

(b) remove any substance from,

the list of substances in any part of Schedules A or B and may move a substance from one part of one Schedule to another part of the same Schedule or to a part of the other Schedule.

8. This amendment relates to the renumbering of the Schedules.

9. These amendments relate to the renumbering of the Schedules.

10. These amendments relate to the renumbering of the Schedule.

11. These amendments relate to the renumbering of the Schedules.

- (b) *as to the instructions for the Schedule by striking out the words "Schedule B, Part 1" and by substituting therefor the words "Schedule 2",*
- (c) *as to the italicized words following the words "Arsenic and preparations and compounds thereof" by striking out the words "Part 2 of Schedule B" and by substituting therefor the words "Schedule 3",*
- (d) *as to the italicized words following the words "Belladonna and alkaloids and preparations and compounds thereof" by striking out the words "Part 2 of Schedule B" and by substituting therefor the words "Schedule 3",*
- (e) *as to the italicized words following the words "Carbolic acid (Phenol) or preparations of a strength greater than 10%" by striking out the words "Part 2 of Schedule B" and by substituting therefor the words "Schedule 3",*
- (f) *as to the italicized words following the word "Chloroform" by striking out the words "Part 1 of Schedule B" and by substituting therefor the words "Schedule 2",*
- (g) *as to the italicized words following the word "Hyoscyamus" by striking out the words "Part 1 of Schedule B" and by substituting therefor the words "Schedule 2",*
- (h) *as to the italicized words following the words "Lobelia and Alkaloids and preparations thereof" by striking out the words "Part 1 of Schedule B" and by substituting therefor the words "Schedule 2", and*
- (i) *as to the italicized words following the words "Strychnine and salts and preparations and compounds thereof" by striking out the words "Part 2 of Schedule B" and by substituting therefor the words "Schedule 3".*

12. *Schedule B, Part 2 is amended*

- (a) *by striking out the words "PART 2" and by substituting therefor the words "SCHEDULE 3",*
- (b) *as to the instructions for the Schedule by striking out the words "Schedule B, Part 2" and by substituting the words "Schedule 3",*
- (c) *as to the italicized words following the words "Carbolic Acid (Phenol) solutions of a strength of less than 10%" by striking out the words "Part 1 of Schedule B" and by substituting therefor the words "Schedule 2", and*

12. These amendments relate to the renumbering of the Schedules.

(d) as to the italicized words following the words "Fluoride Salts" by striking out the words "see Schedule A" and by substituting therefor the words "see Schedule 1".

13. This Act comes into force on the day upon which it is assented to.