

# BILL

No. 2 of 1918.

An Act to amend Chapter 38 of the Statutes of Alberta, 1910 (Second Session), being The Alberta Pharmaceutical Association Act.

(Assented to , 1918.)

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. Section 2 of *The Alberta Pharmaceutical Association Act* is hereby amended by adding thereto the following subsection:

"(2) 'Sell' shall mean and include advertising for sale <sup>"Sell" defined</sup> or exposing or keeping for sale or directly or indirectly or upon any pretence or upon any device selling or bartering or offering to sell or barter."

2. Section 10 of the said Act is hereby amended by striking out the last word thereof and substituting therefor <sup>Section 10 amended</sup> the word "Association".

3. Section 19 of the said Act is hereby amended by <sup>Section 19 amended</sup> inserting after the word "apprentices" in line 7 thereof the words "certified clerks".

4. Sections 21 and 22 of the said Act are hereby repealed <sup>Sections 21 and 22 repealed</sup> and the following substituted therefor:

"21. Before any candidate shall be entitled to be registered as a certified apprentice he shall—

"(a) Produce to the council satisfactory evidence that he <sup>Certified apprentices</sup> has attained the age of 15 years and is of good moral character;

"(b) Have passed grade X of the school course of study of the Province of Alberta or such higher grade or standard of education as the council may by by-law prescribe;

"(c) Have entered into a definite engagement of employment in the drug store of a duly registered pharmaceutical chemist *bona fide* carrying on the business of a retail druggist in Alberta;

"Provided, however, that certified apprentices registered <sup>Proviso</sup> in other provinces of Canada or Great Britain or Ireland or the United States of America who were of the full age of 14 years when registering as such and whose educational qualifications at the time they were so registered in such other province or country are certified by the University of Alberta as equivalent to those required of like candidates in Alberta may have allowed to them the period actually served by them in such apprenticeship to a qualified druggist in such other province or country.

"22. Before any candidate shall be entitled to be registered as a certified clerk he shall: <sup>Certified clerk</sup>

"(a) Produce to the council satisfactory evidence that he has attained the age of 18 years and has actually

served not less than three years as a certified apprentice as required by subsection (c) of section 21;

“(b) Passed such examination as the council of the association may prescribe, or produce satisfactory evidence of equivalent education.

“23. Before any candidate shall be entitled to be registered as a pharmaceutical chemist he shall— Pharmaceutical Chemist

“(a) Produce to the council satisfactory evidence that on December 16th, 1910, he was a member of the Pharmaceutical Association of the North-West Territories, and comply with the by-laws of the Alberta Pharmaceutical Association; or

“(b) Produce to the council satisfactory evidence that he has attained the age of 21 years, has served not less than three years as a certified apprentice in the drug store of a duly registered pharmaceutical chemist *bona fide* carrying on the business of a retail druggist in Alberta;

“(c) Passed such preliminary examinations as may be prescribed by the University of Alberta;

“(d) Received from the University of Alberta a certificate showing him to have attended lectures during two full terms of not less than 25 weeks each at the school of pharmacy at the said university and to have passed the examinations prescribed by the university in pharmacy, materia medica, chemistry, botany and such other subjects as the university may from time to time prescribe:

“Provided, however, that any candidate for registration Proviso as pharmaceutical chemist who shall produce to the registrar of the association satisfactory evidence that he has taken a four years' course in the Faculty of Arts and Sciences and been awarded a degree of Bachelor of Science in Pharmacy by the University of Alberta shall not be required to produce evidence of having served an apprenticeship prior to taking the said course but shall be registered upon producing evidence that he has served twelve months during the two senior years or after the completion of the course in the actual practice of pharmacy in the drug store of a duly registered pharmaceutical chemist *bona fide* carrying on business as such;

“Provided further that all registered licentiates in pharmacy from pharmaceutical associations of Great Britain or Ireland or from any pharmaceutical association or college of pharmacy in the Dominion of Canada or the United States of America may be registered as members of the Alberta Pharmaceutical Association on producing to the University of Alberta satisfactory evidence that at the time such persons procured their licenses from any such other college or association the educational requirements for such licenses were in all respects equivalent to those of the Alberta Pharmaceutical Association in respect of its own candidates at the time such licentiates apply for membership in the Alberta Pharmaceutical Association;

“And the said university may prescribe such courses and examinations as it deems necessary for any such registered licentiate applying for registration in the Alberta Pharmaceutical Association who may not otherwise be entitled to register under this Act in order to place the educational standing of such applicant on an equality with the requirements of the said university at the time of such application

and on such applicant producing to the registrar of the association a certificate from the registrar of the university showing that he has fulfilled all such educational requirements and upon his otherwise complying with the by-laws of the association, he shall be entitled to be registered as a member of the said association."

5. Section 23 of the said Act is amended by changing Section 23 amended the number thereof to "24".

6. Section 24 of the said Act is amended by changing Section 24 amended the number thereof to "25".

7. Sections 25, 26 and 27 of the said Act are hereby re- Sections 25, 26 and 27 repealed pealed.

8. Section 28 of the said Act is hereby repealed and there Section 28 repealed is substituted therefor the following:

"28. Any person registered under this Act and no other Only registered pharmacists may sell poisons or compound prescriptions person shall be entitled to be called a pharmaceutical chemist and no person except a pharmaceutical chemist shall be authorized to sell poisons or compound prescriptions, except as hereinafter provided.

"A certified clerk may sell any of the poisons set out Exception in the second part of Schedule A hereto and may compound or dispense prescriptions, provided such sale, compounding or dispensing is under the actual personal direction of a pharmaceutical chemist who, together with the owner of the business in which such sale is made or compounding or dispensing done, shall be liable for any damage arising out of such sale, compounding or dispensing.

"28a. No person shall be entitled to any of the privileges Fees--- default in payment of of a pharmaceutical chemist or member of the association who is in default in regard to any fees payable by him by virtue of this Act or by any by-law of the association."

9. Section 29 of the said Act is hereby amended by Section 29 amended striking out of the third line thereof the words "against this Act" and substituting therefor "against any Act of the Parliament of Canada or the Legislative Assembly of Alberta relating to the sale of poisons, drugs or alcoholic liquors or of his conviction of any crime involving moral turpitude or in consequence of his personal habits in regard to the use of poisons, drugs or alcoholic liquors."

10. Section 30 of the said Act is hereby amended by Section 30 amended inserting at the commencement thereof the words "Except as hereinbefore provided" and by striking out the word "or" in the first line thereof and by substituting therefor the words "nor shall any person," and by inserting after the word "druggist" in the sixth line thereof the words "drug store, drug dispensary or other words of like import," and by adding thereto the following subsection:

"(2) No person shall open or carry on any branch, Branch shop second or other shop or place of business for retailing, dispensing or compounding any of the poisons, drugs or medicines mentioned in Schedule A to this Act without first paying the annual fee and otherwise complying with the requirements of the association in relation thereto, and without placing and keeping such shop or place of business under the immediate personal supervision of and *bona fide* managed and conducted by a pharmaceutical chemist. The person opening such branch, second or

other shop or place of business shall, upon opening the same, notify the registrar of the association of the name of the manager of such branch, second or other shop or place of business and from time to time thereafter forthwith as such changes occur he shall notify the registrar of any change in the management thereof."

11. Section 32 is hereby amended by striking out all the words after the word "equity" in the third line thereof and by adding thereto the following subsection: Section 32  
amended

"(2) Every place in which drugs or medicines are compounded for sale either by retail or wholesale shall be under the immediate personal supervision of and shall be *bona fide* managed and conducted by a pharmaceutical chemist."

12. Section 34 is hereby amended by striking out of the first and second lines thereof the words "the first part of" and by adding thereto the following subsection: Section 34  
amended

"(2) In any prosecution where it is shown that any person has sold or otherwise disposed of or offered to sell or otherwise dispose of any article which purports to be or contain or the container of which is marked to indicate that the contents are or include or which the person selling or disposing of has represented to be or contain any of the poisons set out in Schedule A hereto it shall not be necessary for the prosecution to prove that such article is or contains such poison but the onus shall be on the accused to establish that such article is not or does not contain such poison." Sale of poisons  
Onus of proof

13. Section 35 of the said Act is hereby amended by adding thereto the following subsection:

"(2) Several charges of contravention of this Act committed by the same person may be included in the one information and complaint provided such information and complaint and the summons or warrant issued thereon contain the time and place of each contravention." Information  
may contain  
several charges

14. Section 39 of the said Act is hereby amended by striking out the colon in the third line thereof and all the words thereafter to and including the word "shall" in the ninth line and by substituting therefor the word "or" and by adding thereto the following subsection: Section 39  
amended

"(2) Medical practitioners duly qualified in the province may register under this Act upon passing the examinations prescribed by the University of Alberta in the subjects of pharmacy and materia medica, but this amendment shall not interfere with the privileges of medical practitioners registered under this Act prior to the passing of this amendment." Registration of  
doctors

15. Section 40 of the said Act is hereby repealed.

Section 40  
repealed

---

FIRST SESSION  
FOURTH LEGISLATURE  
8 GEORGE V  
1918

---

**BILL**  
An Act to amend the Alberta Pharma-  
ceutical Association Act, 1910  
(Second Session).

---

Received and read the

First time. . . . .

Second time. . . . .

Third time. . . . .

---

MR. PINGLE.

---

EDMONTON:  
J. W. JEFFERY, KING'S PRINTER  
A.D. 1918