



PHARMACY AMENDMENT ACT 1986

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 No. 96 of 1986
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AN ACT to amend the Pharmacy Act 1908.

[Royal Assent 10 December 1986]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Pharmacy Amendment Act* Short title. 1986.

2—This Act shall commence on the day on which it receives the Commence- Royal assent. ment.

Principal Act.

3—In this Act, the *Pharmacy Act 1908** is referred to as the Principal Act.

Amendment of section 17A of Principal Act (Unprofessional conduct of pharmaceutical chemists).

4—Section 17A of the Principal Act is amended by inserting after subsection (8) the following subsections:—

(8A) Where the Board exercises its powers under subsection (2) or (3) in relation to a registered pharmaceutical chemist, the Board may order that he pay the whole or a part of the costs incurred by the Board in conducting the inquiry.

(8B) Where the Board makes an order requiring a person to pay costs as mentioned in subsection (8A)—

(a) the amount of costs shall, in default of agreement between the Board and the person against whom the order is made, be determined in accordance with the *Arbitration Act 1892*; and

(b) for the purposes of paragraph (a), that Act applies and has effect as if the arbitration were pursuant to a submission under that Act.

(8C) Where, under subsection (2) or (3), the Board suspends the registration of a pharmaceutical chemist who holds an interest in a pharmacy or in a business carried on in a pharmacy, the Board may, if it thinks it expedient to do so, order that he be permitted to retain that interest while his registration is so suspended.

(8D) An order under subsection (8C)—

(a) may be made on such terms and conditions relating to the conduct of the business carried on in a pharmacy as the Board thinks fit; and

(b) has effect notwithstanding section 30.

Amendment of section 30 of Principal Act (Persons other than registered pharmaceutical chemists not to hold an interest in pharmacies, &c.).

5—Section 30 of the Principal Act is amended by adding after subsection (2) the following subsection:—

(3) Notwithstanding subsection (1), it is lawful for a pharmaceutical chemist whose registration has been suspended under section 17A (2) or (3) to retain an interest in a pharmacy or in the business carried on in a pharmacy according to the tenor of any order in force under section 17A (8C) applicable to him.

* 8 Edw. VII No. 33. For this Act, as amended to 1st March 1979, see the continuing Reprint of Statutes. Subsequently amended by Act No. 82 of 1981, S.R. 1981, No. 330, S.R. 1982, No. 221, Act No. 99 of 1982, S.R. 1983, No. 218, S.R. 1984, No. 238, and Act No. 51 of 1985.