



Tonga

# PHARMACY REGULATIONS 2010





## PHARMACY REGULATIONS 2010

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# PHARMACY REGULATIONS 2010

## PHARMACY ACT 2001

*IN EXERCISE of the powers conferred by section 59 of the Pharmacy Act 2001, the Minister of Health with the consent of Cabinet makes the following Regulations -*

### 1 Short Title

These Regulations may be cited as the Pharmacy Regulations 2010.

### 2 Interpretation

In these Regulations, unless the context otherwise requires:

“**Act**” means the Pharmacy Act 2001; and

“**Ministry**” means the Ministry of Health.

### 3 Qualifications

The qualification for registration of a pharmacist or an assistant pharmacist shall be as prescribed under Schedule I of these Regulations.

### 4 Registration

- (1) A person shall not be registered or practice as a pharmacist or an assistant pharmacist if he is not qualified under regulation 3, and:
  - (a) does not have sufficient physical or mental capacity to carry on practice as a pharmacist or assistant pharmacist; or
  - (b) is not of good character; or
  - (c) has insufficient communication skills for practicing pharmacy, including an inadequate command of the Tongan or English languages.

- (2) For the purposes of regulation 4(1)(b), the Board may take into consideration the following:
  - (a) character references provided by the applicant;
  - (b) employment history of the applicant; and
  - (c) any other matter the Board considers relevant.
- (3) If a person has been convicted in the Kingdom or elsewhere of an offence involving dishonesty or illicit drugs, he shall be deemed not to be of good character for the purposes of sub-regulation (1).

## **5 Fees**

For the purposes of the Act and these Regulations, the fees shall be those prescribed in Schedule II.

## **6 Authorised officers**

- (1) Within one week of the Minister prescribing an officer as an authorised person pursuant to section 44 of the Act, the Registrar shall provide the authorised officer with an identity document that certifies his authorisation.
- (2) The form of the identity document shall be determined by the Registrar.
- (3) The identity document shall be a form of identity with which the authorised officer provides proof that he is an authorised officer.
- (4) Any person who ceases to be an authorised officer, who continues to represent himself as an authorised officer or without reasonable excuse, fails to return his identity document to the Registrar commits an offence.

## **7 Exemption**

Pursuant to section 59(c) of the Act, traditional Tongan healers are exempted from the provisions of the Act when they supply traditional herbal materials of local origin that are not processed beyond either drying or simple extraction and that do not fall into the classes of the registered list in the Therapeutic Goods Act 2001.

Made at Nuku'alofa this 20<sup>th</sup> day of October 2010.

**Minister of Health**

**SCHEDULE I**

(Regulation 3)

**QUALIFICATION OF PHARMACISTS**

Degree in Pharmacy from a recognised institution in the following countries:

- (1) Australia;
- (2) New Zealand;
- (3) United Kingdom;
- (4) Ireland;
- (5) Canada;
- (6) United States of America;
- (7) Fiji;
- (8) Papua New Guinea; or
- (9) any other country subject to satisfactory assessment for clinical competence and any other factor considered appropriate by the Board.

**QUALIFICATION OF ASSISTANT PHARMACISTS**

Successful completion of the following courses:

- (1) Tonga Health Training Certificate in Pharmacy;
- (2) Diploma in Pharmacy from Fiji School of Medicine; or
- (3) any other pharmacy course subject to satisfactory assessment for clinical competence and any other factor considered appropriate by the Board.

**SCHEDULE II**

(Regulation 5)

**FEES**

<b>Item</b>		<b>Fees</b>
1	Application for registration as a pharmacist	\$20
2	Registration as pharmacist	\$60
3	Annual roll fee for registration as a pharmacist	\$40
4	Application for registration as an assistant pharmacist	\$20
5	Registration as assistant pharmacist	\$40
6	Annual roll fee for registration as an assistant pharmacist	\$30
7	Application for licence of pharmacy	\$20
9	Issuance of licence for pharmacy	\$100
10	Annual fee for licence of pharmacy premises	\$100
11	Provisional registration fee	\$50
12	Temporary registration	\$50
13	Reinstatement fee	\$50