

## PHARMACY.

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No. 93 of 1980.

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**AN ACT to amend the Pharmacy Act 1964-1977.**

*[Assented to 9 December 1980.]*

**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Pharmacy Amendment Act 1980*. Short title and citation.

(2) In this Act the Pharmacy Act 1964-1977 is referred to as the principal Act. Reprinted as approved 31 August 1976 and amended by Act No. 26 of 1977.

(3) The principal Act as amended by this Act may be cited as the Pharmacy Act 1964-1980.

Section 5A  
inserted.

2. Part I of the principal Act is amended by inserting, after section 5, the following section—

Act not to  
apply to  
veterinary  
pharmacy at  
Murdoch  
University.

“ 5A. (1) This Act does not apply to or in relation to the veterinary pharmacy operated by Murdoch University.

(2) In subsection (1) of this section—

“Murdoch University” means the university referred to in section 4 of the Murdoch University Act 1973. ” .

Section 36B  
inserted.

3. After section 36A of the principal Act, the following section is inserted—

Certain  
advertisements  
prohibited.

“ 36B. (1) Subject to subsection (3) of this section, a person shall not in any sign or advertisement or by any other means whatsoever, whether on his own behalf or on behalf of any other person, cause or permit any reference to be made to the fact that he or any other person provides or offers to provide, or may provide or offer to provide, dispensing or other professional advice or services relating to the supply of any medicine or drug.

Penalty: \$1 000 or imprisonment for 12 months.

(2) Subject to subsections (3) and (4) of this section, a person shall not in any sign or advertisement use the word “chemist”, “druggist”, “pharmaceutist” or “pharmacist” or any derivative of that word, whether alone or in conjunction with any other word or words.

Penalty: \$1 000 or imprisonment for 12 months.

(3) This section does not apply to—

(a) a pharmaceutical chemist; or

- (b) a company, or a friendly society registered under the Friendly Societies Act 1894, that is engaged in carrying on the practice of a pharmaceutical chemist by and under the immediate supervision of a licensed pharmaceutical chemist.

(4) Subsection (2) of this section does not apply to—

- (a) a manufacturer, importer, distributor or provider of goods or services or both in relation to any advertisement, whether published in any newspaper or other printed medium or broadcast by radio, television or other visual or audible means in which it is indicated that—

- (i) medicines or drugs; or

- (ii) goods or services referred to in paragraph (a) or (b) of subsection (1) of section forty A of this Act,

are obtainable, whether by sale or otherwise, from any pharmaceutical chemist, company or friendly society referred to in subsection (1) of section forty A of this Act; or

- (b) a person who uses in any sign or advertisement, which sign or advertisement does not refer, whether expressly or by implication, to the availability or supply of any medicine or drug or to the provision of dispensing or other professional advice or services relating to the supply of any medicine or drug, for the purpose of describing a profession, trade or calling the word “chemist”, “druggist”, “pharmacist” or “pharmacist” or any derivative of that word. ” .