



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$3.84

WINDHOEK - 15 November 1996

No. 1444

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MINISTRY OF HEALTH AND SOCIAL SERVICES

No. 299

1996

PHARMACY PROFESSION ACT, 1993: RULES RELATING TO THE ACTS OR OMISSIONS CONSTITUTING IMPROPER CONDUCT OR MISCONDUCT IN RESPECT OF WHICH THE PHARMACY BOARD MAY CONDUCT INQUIRIES AND TAKE DISCIPLINARY STEPS

The Minister of Health and Social Services has under section 33(2) of the Pharmacy Profession Act, 1993 (Act 23 of 1993), approved the rules issued by the Pharmacy Board under section 33(1) of the Act as set out in the Schedule.

SCHEDULE**Definitions**

1. In these rules, unless the context otherwise indicates, a word or expression defined in the Pharmacy Profession Act, 1993 (Act 23 of 1993), has a corresponding meaning; and "profession" means the pharmacy profession.

Acts or omissions constituting improper conduct or misconduct

2. The acts or omissions by a registered person, as set out in this Schedule, shall constitute improper conduct or misconduct in respect of which the Board may conduct inquiries or may take disciplinary steps under Part VI of the Pharmacy Profession Act, 1993 (Act 23 of 1993): Provided that -

- (a) the acts or omissions do not constitute a complete list of offences, and the Board may inquire into and deal with any complaint, charge of allegation which may be brought before it; and
- (b) the Board will ordinarily act only if a complaint, charge or allegation is laid before it, but shall not be restricted to such actions only.

Acts or omissions regarding dispensing practices

3. The following acts or omissions regarding dispensing practices shall constitute improper conduct contemplated in rule 2 -

- (a) failure to furnish advice or information for the safe and effective use of medicines supplied by him or her;
- (b) substituting or omitting a medicine or ingredient of a medicine in a prescription without prior discussion with the prescriber, unless the patient requests the omission of a medicine in a prescription: Provided that such omission shall be indicated indelibly on the pre-

- (c) the advertising of his or her professional services in a manner -
 - (i) which disparages another pharmacist;
 - (ii) which is calculated to suggest that his or her professional skill or ability, or his or her facilities for practising his or her profession or rendering his or her professional services are superior to those of other pharmacists;
- (d) by acting in a manner referred to in sub-rule (c), touting or attempting to tout for prescriptions or business with regard to the sale of medicines.

Acts or omissions regarding the relationship with other registered persons or members of other health services professions

5. The following acts or omissions regarding the relationship with other registered persons or members of other health services professions shall constitute improper conduct or misconduct contemplated in rule 2 -

- (a) failure, to the disadvantage of the patient, to co-operate with other registered persons or members of other health services professions;
- (b) criticism given in an unprofessional manner regarding the ability or professional competence of other registered persons or members of other health services professions;
- (c) disclosure of confidential information relating to a patient obtained in the course of his or her professional activities, except with the express consent of the patient, or in the case of a minor, with the consent of the parent or guardian of the patient, or where such information is furnished to a person authorised by law to request it, unless such disclosure is in the interests of the patient concerned.

Acts or omissions in general

6. The following general acts or omissions shall constitute improper conduct or misconduct contemplated in rule 2 -

- (a) conducting his or her practice, or himself or herself, in such a manner that the dignity or the honour of the profession is harmed;
- (b) collusion with any person not registered with the Board to perform acts specially pertaining to the profession of a pharmacist;
- (c) without first having obtained the approval of the Board -
 - (i) allowing a person who is not registered with the Board to conduct a separate practice or business in a retail pharmacy;
 - (ii) establishing a retail pharmacy in another practice or busi-

- (1) the sale or promotion of the sale of medicines in any manner which has as its aim, or may be interpreted or regarded as having as its aim, the promotion of the misuse or abuse, or the detrimental or injudicious or unsafe use of medicines.

**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND
HOUSING**

No. 300

1996

**TOWN PLANNING ORDINANCE, 1954
KEETMANSHOOP AMENDMENT SCHEME NO. 1**

In terms of section 26(2) of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954), I hereby give notice that the Keetmanshoop Amendment Scheme No. 1 of the Municipality of Keetmanshoop has been approved under section 26(1) of the said ordinance, read with section 27(1) thereof.

**DR. N. IYAMBO
MINISTER OF REGIONAL AND
LOCAL GOVERNMENT AND
HOUSING**

**MINISTRY OF REGIONAL AND LOCAL GOVERNMENT AND
HOUSING**

No. 301

1996

**DECLARATION OF OMULUNGA (EXTENSION 3) TO BE
AN APPROVED TOWNSHIP: MUNICIPALITY OF GROOTFONTEIN**

Under section 13 of the Townships and Division of Land Ordinance, 1963 (Ordinance 11 of 1963), I hereby declare the area situated on Portion 46 (a portion of Portion 36) of the farm Grootfontein Townlands 754 in the Municipal Area of Grootfontein, Registration Division B, and represented by General Plan B106 (A468/95) to be an approved township.

The conditions, subject to which the application for permission to establish the township concerned has been granted, are set forth in the Schedule below in terms of the said section 13.

**DR. N. IYAMBO
MINISTER OF REGIONAL AND
LOCAL GOVERNMENT AND HOUSING** Windhoek, 28 October 1996