

No. 51 of 1981

AN ORDINANCE

To amend the *Pharmacy Ordinance 1931*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this third day of December 1981.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL MACKELLAR
Minister of State for Health

PHARMACY (AMENDMENT) ORDINANCE 1981

1. This Ordinance may be cited as the *Pharmacy (Amendment) Ordinance 1981*.^{*} Short title
2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for the Capital Territory by notice in the *Gazette*. Commencement
3. In this Ordinance, "Principal Ordinance" means the *Pharmacy Ordinance 1931*.[†] Principal Ordinance
4. Section 5 of the Principal Ordinance is amended by omitting the definitions of "the Election Ordinance" and "the Court of Petty Sessions". Interpretation
5. Section 6 of the Principal Ordinance is amended by omitting sub-sections (2) and (3). Pharmacy Board

^{*} Notified in the *Commonwealth of Australia Gazette* on 9 December 1981.

[†] Ordinance No. 10, 1931 as amended by No. 21, 1933; No. 27, 1937; No. 21, 1959; No. 22, 1964; No. 19, 1966; No. 18, 1967; No. 37, 1970; No. 18, 1971; No. 44, 1972; No. 31, 1973; No. 47, 1974; Nos. 17 and 43, 1975; No. 65, 1977; No. 46, 1978; No. 26, 1979; and No. 50, 1980.

Constitution
of Board

6. Section 7 of the Principal Ordinance is amended—

(a) by omitting sub-section (1) and substituting the following sub-section:

“(1) The Board shall consist of—

(a) a Chairman, and 3 other members, appointed in accordance with the *Health Professions Boards (Procedures) Ordinance* 1981; and

(b) 3 members elected, as occasion requires, in accordance with the *Health Professions Boards (Elections) Ordinance* 1980.”;

(b) by omitting sub-section (3) and substituting the following sub-section:

“(3) The Chairman shall be the executive officer of the Board.”; and

(c) by omitting sub-sections (5), (6), (7), (8) and (9).

Repeal 7. Sections 8 to 16 (inclusive) and section 18 of the Principal Ordinance are repealed.

Repeal 8. Section 26 of the Principal Ordinance is repealed.

Grounds for
cancellation
of
registration

9. Section 32 of the Principal Ordinance is amended by omitting sub-sections (2) and (3).

Removal of
names from
Register

10. Section 33 of the Principal Ordinance is amended by omitting from sub-section (1) all the words after “due inquiry”.

11. After section 33 of the Principal Ordinance the following section is inserted:

Appeal “33A. (1) Application may be made to the Tribunal for a review of a decision of the Board—

(a) refusing to register, or to re-register, a person;

(b) removing the name of a person from the Register; or

(c) refusing to issue, or to renew, a permit under section 39.

“(2) In this section, ‘Tribunal’ means the Administrative Appeals Tribunal established by the *Administrative Appeals Tribunal Act* 1975.”.

Repeal 12. Sections 48, 49, 50 and 53 of the Principal Ordinance are repealed.

13. Section 54 of the Principal Ordinance is amended by omitting paragraph (a). Regulations

14. (1) The person who was, immediately before the commencement of this Ordinance, the Chairman of the Board continues to be the Chairman of the Board as if he had been appointed as the Chairman under the Principal Ordinance as amended by this Ordinance and holds office subject to the *Health Professions Boards (Procedures) Ordinance 1981*. Transitional

(2) The person who was, immediately before the commencement of this Ordinance, the Deputy Chairman of the Board continues to be the Deputy Chairman of the Board as if he had been elected as the Deputy Chairman under the *Health Professions Boards (Procedures) Ordinance 1981* and holds office subject to that Ordinance.

(3) A person who was, immediately before the commencement of this Ordinance, a member of the Board continues to be a member of the Board as if he had been appointed or elected as a member under the Principal Ordinance as amended by this Ordinance and holds office subject to the *Health Professions Boards (Procedures) Ordinance 1981*.

(4) An expression in this section that is defined in the Principal Ordinance as amended by this Ordinance has the same meaning for the purposes of this section as it has in the Principal Ordinance as so amended.