BUITENGEWONE

OFFISIËLE KOERANT
VAN SUIDWES-AFRIKA

OFFICIAL GAZETTE
EXTRAORDINARY
OF SOUTH WEST AFRICA

UITGAWE OP GESAG — PUBLISHED BY AUTHORITY

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H. P. F. GOUS,
Sekretaris van Suidwes-Afrika.

Administrasie van Suidwes-Afrika,
Windhoek.

GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN GESONDHEID

No. R. 214 (Republiek) 3 Februarie 1978

DIE SUID-AFRIKAANSE APTEKERSRAAD

Die Minister van Gesondheid het, kragtens artikel 49 (1) (o) van die Wet op Aptekers, 1974 (Wet 53 van 1974), soos gewysig, op aanbeveling van die Suid-Afrikaanse Aptekersraad, die volgende regulasies betreffende die instelling van ondersoeke ingevolge Hoofstuk V van die Wet uitgevaardig:

REGULASIES BETREFFENDE DIE INSTELLING VAN ONDERSOEKE WAT INGEVOLGE HOOFSTUK V VAN DIE WET OP APTEKERS, 1974, SOOS GEWYSIG, GEHOU WORD

1. 'n Persoon wat 'n klagte, beskuldiging of bewering van onbetaamlike of skandelike gedrag teen 'n geregistreerde persoon aanhangig maak, moet 'n beëdigde verklaring indien, waarin die spesifieke handelinge waaroor gekla word, uiteengesit word, en die klaer moet bereid wees om voor die Raad getuienis af te lê ingeval 'n ondersoek na die gedrag van 'n geregistreerde persoon gehou word.

2. Die Registrateur moet, na gelang van die omstandighede en, indien nodig, in oorleg met die President, by ontvangs van 'n klagte—

(a) verdere inligting van die klaer aanvra; of

(b) die geregistreerde persoon van die aard van die klagte teen hom verwittig en hom om 'n verduideliking vra, dog hom waarsku dat sodanige verduideliking as

The following Republic Government Notices are published for general information.

H. P. F. GOUS,
Secretary for South West Africa.

Administration of South West Africa,
Windhoek.

GOVERNMENT NOTICES

DEPARTMENT OF HEALTH

No. R. 214 (Republic) 3 February 1978

THE SOUTH AFRICAN PHARMACY BOARD

The Minister of Health has, in terms of section 49 (1) (o) of the Pharmacy Act, 1974 (Act 53 of 1974), as amended, on the recommendation of the South African Pharmacy Board, made the following regulations relating to the conduct of inquiries held in terms of Chapter V of the Act:

REGULATIONS RELATING TO THE CONDUCT OF INQUIRIES HELD IN TERMS OF CHAPTER V OF THE PHARMACY ACT, 1974, AS AMENDED

1. A person who lodges a complaint, charge or allegation of improper or disgraceful conduct against a registered person shall furnish an affidavit, detailing the specific acts complained of and the complainant must be prepared to give evidence before the Board in the event of an inquiry being held into the conduct of a registered person.

2. The Registrar shall, in accordance with the circumstances and, if necessary, in consultation with the President, on receipt of a complaint—

(a) seek further information from the complainant; or

(b) advise the registered person of the nature of the complaint against him and ask him for an explanation,

getuienis gebruik kan word indien 'n ondersoek na sy gedrag gehou word; of

(c) die aangeleentheid aan die Uitvoerende Komitee voorlê, tesame met die tersaaklike dokumente.

3. Behoudens die bepalings van artikel 10 van die Wet, moet die Uitvoerende Komitee—

(a) verdere ondersoek na die klagte laat instel; of

(b) regsadvies inwin of sodanige ander hulp inroep as wat hy nodig ag; of

(c) indien hy van mening is dat die klagte, al word dit gestaaf, nie geag sou word onbetaamlike of skandelike gedrag uit te maak nie, of indien hy, om enige behoorlike rede, meen dat daar nie 'n ondersoek gehou moet word nie, sodanige stappe doen as wat hy paslik ag en volledig oor hierdie stappe aan die Raad verslag doen;

(d) indien hy van mening is dat die getuienis wat ter stawing van die klagte verskaf word prima facie-bewys lewer van onbetaamlike of skandelike gedrag, besluit dat 'n ondersoek deur die Raad gehou word.

4. Niks in hierdie regulasies moet so uitgelê word dat dit die Raad weerhou van sy reg en bevoegdheid om enige aangeleentheid sonder verwysing na 'n komitee af te handel nie.

5. Die Registrateur moet, indien daar besluit word dat 'n ondersoek gehou moet word—

(a) alle dokumente en ander stukke wat op die ondersoek betrekking het, aan die Raad voorlê; en

(b) die geregistreerde persoon teen wie die klagte aanhangig gemaak is, verwittig—

(i) van die aard van die beskuldiging wat teen hom ingedien is en volle besonderhede van sodanige beskuldiging aan hom verstrek, insluitende afskrifte van enige tersaaklike dokumente;

(ii) van die datum, tyd en plek van die ondersoek;

(iii) dat hy voor die ondersoek verdere verklarings aan die Raad kan voorlê, welke verklarings as getuienis gebruik kan word;

(iv) van sy regte kragtens artikel 40 (2) van die Wet.

6. Die brief aan die beskuldigde in paragraaf 5 bedoel, moet in die vorm in Bylae A uiteengesit wees en moet per aangetekende pos na sy geregistreerde adres gestuur word, tesame met 'n afskrif van hierdie regulasies.

7. In gevalle waar die klaer of die beskuldigde versoek dat 'n getuie gedagvaar word om getuienis af te lê, kan die Raad, na goedvinde, vereis dat die klaer of die beskuldigde 'n voldoende bedrag deponeer ter dekking van die koste daaraan verbonde om die getuie na die plek waar die ondersoek gehou word, te bring.

8. Die gelde wat aan getuies betaal word, is volgens die tarief wat op kriminele sake in 'n landdroshof van toepassing is.

9. Indien die klaer persoonlik verskyn of deur 'n prokureur verteenwoordig word, word die volgende prosedure gevolg:

(a) Die Registrateur lees die kennisgewing van die ondersoek gerig aan die beskuldigde voor;

(b) die klaer word versoek om sy saak te stel en getuienis ter stawing daarvan aan te voer, waarna sy saak afgesluit is;

(c) die beskuldigde word dan versoek om sy saak te stel, òf persoonlik òf deur sy regsadviseur, en om getuienis ter stawing van sy saak aan te voer of, ingeval hy besluit om 'n skriftelike verklaring ter verdediging in te dien, word sodanige verklaring voorgelees;

(d) indien die beskuldigde teenwoordig is, mag hy die Raad slegs een maal toespreek voordat of nadat hy sy getuienis afgelê het;

(e) indien die beskuldigde getuienis aanvoer, moet die Raad na afsluiting van die beskuldigde se saak, die klaer

warning him that such explanation may be used in evidence if an inquiry is held into his conduct; or

(c) place the matter before the Executive Committee with the relevant documents.

3. Subject to the provisions of section 10 of the Act, the Executive Committee shall—

(a) cause further investigation of the complaint to be made; or

(b) seek legal advice or such other assistance as it may deem necessary; or

(c) if it is of the opinion that the complaint, even if substantiated, would not be held to constitute improper or disgraceful conduct, or if, for any proper reason it considers that an inquiry should not be held, take such action as it deems fit and report fully on this action to the Board; or

(d) if it is of the opinion that the evidence furnished in support of the complaint discloses prima facie evidence of improper or disgraceful conduct, decide that an inquiry be held by the Board.

4. Nothing in these regulations shall be construed as withholding from the Board the right and power to deal with any matter without reference to a committee.

5. The Registrar shall, if it is resolved that an inquiry be held—

(a) submit to the Board all documents and other material having a bearing on the inquiry; and

(b) advise the registered person against whom the complaint has been lodged—

(i) of the nature of the charge preferred against him, giving full particulars of such charge, including copies of any relevant documents;

(ii) of the date, time and venue of the inquiry;

(iii) that he may submit further statements to the Board prior to the inquiry, which statements may be used as evidence; and

(iv) of his rights under section 40 (2) of the Act.

6. The letter to the accused person, referred to in paragraph 5, shall be in the form set out in Schedule A and shall be sent by registered post to his registered address, accompanied by a copy of these regulations.

7. In cases where a complainant or the accused requests that a witness be summoned to give evidence, the Board may, in its discretion, require the complainant or the accused to deposit a sum of money sufficient to cover the costs of bringing the witness to the place where the inquiry is being held.

8. The fees payable to witnesses shall be in accordance with the tariff applicable in criminal cases in a magistrate's court.

9. In a case where the complainant appears personally or is represented by an attorney, the following procedure shall be followed:

(a) The Registrar shall read the notice of the inquiry addressed to the accused person;

(b) the complainant shall be invited to state his case and to adduce evidence in support of it, whereafter his case shall be closed;

(c) the accused shall then be asked to state his case, either personally or through his legal adviser, and to produce evidence in support of his case or, in the event of his deciding to submit a written statement in his defence, such statement shall be read;

(d) if the accused is present, he may address the Board once only, either before submitting his evidence or after;

(e) at the conclusion of the case of the accused person, the Board shall, if he has adduced evidence, hear the

of sy regsverteenwoordiger oor die saak as geheel aanhoor maar die Raad moet nie op hierdie stadium enige verdere getuienis aanhoor nie, tensy daar, na die Raad se mening, spesiale redes bestaan om sodanige verdere getuienis aan te hoor;

(f) indien die beskuldigde nie enige getuienis aanvoer nie, word die klaer nie in antwoord aangehoor nie;

(g) wanneer 'n getuie voor die Raad verskyn, word hy ondervra deur die persoon op wie se versoek hy gedagvaar is, dan word hy deur die teenparty of sy verteenwoordiger onder kruisverhoor geneem, en ten slotte word hy herondervra deur die persoon wat gevra het dat hy gedagvaar word.

10. In 'n geval waar die beskuldigde nie teenwoordig is nie, word die volgende prosedure gevolg:

(a) Die Registrateur lees die kennisgewing van die ondersoek gerig aan die beskuldigde voor;

(b) die klaer word versoek om sy saak te stel en om getuienis ter stawing daarvan aan te voer.

11. In 'n geval waar nòg die klaer nòg die beskuldigde verskyn, moet die Raad besin en besluit watter verdere stappe, indien enige, gedoen gaan word.

12. Lede van die Raad kan deur of met die toestemming van die Voorsitter sodanige vrae aan getuies stel as wat hulle nodig ag.

13. Alle mondelinge getuienis moet onder eed afgelê word, en die Raad kan weier om die getuienis toe te laat van enige getuie of deponent by 'n dokument wat nie vir kruisondervraging teenwoordig is nie of wat weier om hom daaraan te onderwerp.

14. Na afsluiting van die saak moet die Raad *in camera* oor die getuienis beraadslaag, en die uitspraak en vonnis van die Raad moet deur die President aan die beskuldigde of sy verteenwoordiger oorgedra word, òf onmiddellik, in ope vergadering, òf op 'n later datum skriftelik, al na die Raad gelas.

15. Enige besluit van die Raad met betrekking tot enige aangeleentheid wat in verband met of in die loop van 'n ondersoek ontstaan, kan *in camera* geneem word, maar moet in ope vergadering aan die betrokke persone bekendgemaak word.

16. Die prosedure in hierdie regulasies voorgeskryf, is *mutatis mutandis* van toepassing op 'n ondersoek ingestel kragtens artikel 38 van Wet 53 van 1974, soos gewysig.

17. Die regulasies betreffende die hou van ondersoeke ingestel ingevolge Hoofstuk IV, Wet 13 van 1928, afgekondig by Goewermentskennisgewing R. 1994 van 15 Desember 1966 word hierby herroep.

BYLAE A

VORM VAN DAGVAARDING OM 'N TUGONDERSOEK BY TE WOON

Geagte meneer/mev./mej.

TUGONDERSOEK

In opdrag moet ek u meedeel dat die volgende beskuldiging wat teen u ingebring is, op 'n vergadering van die Suid-Afrikaanse Aptekersraad oorweeg sal word wat in.. op....................................om...............................gehou sal word.

Dat u, synde 'n apteker, behoorlik as sodanig geregistreer ingevolge die bepalings van die Wet op Aptekers, 1974 (Wet 53 van 1974), soos gewysig, skuldig is aan onbetaamlike of skandelike gedrag, of aan gedrag wat, indien u roeping in aanmerking geneem word, onbetaamlik of skandelik is, deurdat u..

....

U word versoek om voor hierdie vergadering te verskyn, om enige verdediging wat u wil aanvoer, te staaf. Indien u besluit om nie die vergadering by te woon nie sal die Raad die beskuldiging in u afwesigheid ooreenkomstig die regulasies oorweeg en afhandel.

Indien u verlang dat u brief van.................................of enige ander brief wat u aan my rig, u verdediging moet uitmaak, verwittig my asseblief skriftelik daarvan minstens 14 dae voor die datum wat vir die ondersoek bepaal is.

'n Afskrif van die regulasies wat op tugondersoeke betrekking het, word hierby aangeheg.

....
Registrateur

complainant or his legal representative on the case generally but the Board shall not at this stage hear further evidence unless there are, in the opinion of the Board, special reasons for hearing such further evidence;

(f) if the accused does not adduce any evidence the complainant shall not be heard in reply;

(g) when a witness appears before the Board he shall be examined by the person at whose request he was summoned, then cross-examined by the opposing person or his representative and finally re-examined by the person who caused him to be summoned.

10. In a case where the accused is not present, the following procedure shall be followed:

(a) The Registrar shall read the notice of the inquiry addressed to the accused;

(b) the complainant shall be asked to state his case and to produce his evidence in support of it.

11. In a case in which neither the complainant nor the accused appears, the Board shall consider and decide what further action, if any, will be taken.

12. Members of the Board may, through or with the permission of the Chairman, put such questions to witnesses as they may deem necessary.

13. All oral evidence shall be taken on oath and the Board may decline to admit the evidence of any witness or deponent to a document who is not present for, or declines to submit to, cross-examination.

14. Upon the conclusion of the case the Board shall deliberate upon the evidence *in camera* and the judgment and verdict of the Board shall be communicated to the accused or his representative by the President, either immediately, in open meeting or at a later date, in writing, as the Board may direct.

15. Any decision of the Board in regard to any point arising in connection with, or in the course of, an inquiry may be arrived at *in camera* but shall be communicated to the persons concerned in open meeting.

16. The procedure prescribed in these regulations shall be applicable *mutatis mutandis* to an inquiry conducted in terms of section 38 of Act 53 of 1974, as amended.

17. The regulations regarding the conduct of inquiries held in terms of Chapter IV, Act 13 of 1928, published in Government Notice R. 1994 of 15 December 1966, are hereby repealed.

SCHEDULE A

FORM OF SUMMONS TO ATTEND A DISCIPLINARY INQUIRY

Dear Sir/Madam

DISCIPLINARY INQUIRY

I have been directed to inform you that the following charge which has been preferred against you will be considered at a meeting of the South African Pharmacy Board, to be held at...
.........................., on..at.....................................

That you, being a pharmacist, duly registered as such under the provisions of the Pharmacy Act, 1974 (Act 53 of 1974), as amended are guilty of improper or disgraceful conduct, or conduct which, when regard is had to your profession, is improper or disgraceful, in that you

....

....

You are requested to appear before this meeting to establish any defence which you may wish to offer, but if you should decide not to do so the Board may consider and deal with the charge in your absence, in accordance with the regulations.

If you wish your letter of.., or any other letter which you may address to me to constitute your defence, please advise me of this in writing, not later than 14 days before the date set down for the inquiry.

A copy of the regulations for the conduct of inquiries is enclosed.

....
Registrar

BYLAE B

DIE SUID-AFRIKAANSE APTEKERSRAAD

DAGVAARDING OM VOOR DIE SUID-AFRIKAANSE APTEKERSRAAD TE VERSKYN

Aan..(naam)

....(beroep)

van..(woonplek)

U word hierby gedagvaar om in..

....

op die..................................dag van..................................19........ om ....h........ te verskyn voor die Suid-Afrikaanse Aptekersraad, ingestel kragtens die Wet op Aptekers, 1974, soos gewysig, om getuienis af te lê aangaande..

....

en u word gelas om saam te bring..

....

Gegee onder die hand van die..van die Raad, op hede die..................................dag van....................19........

....

President/Registrateur

Barclays Bankgebou
Kerkplein
Pretoria

No. R. 215 (Republiek) 3 Februarie 1978

DIE SUID-AFRIKAANSE APTEKERSRAAD

Die Minister van Gesondheid vaardig hierby, op aanbeveling van die Suid-Afrikaanse Aptekersraad, die volgende regulasies uit kragtens artikel 49 (1) (b) en (c) van die Wet op Aptekers, 1974 (Wet 53 van 1974), soos gewysig, ter vervanging van die regulasies afgekondig by Goewermentskennisgewing R. 673 van 10 Mei 1963:

REGULASIES BETREFFENDE DIE WYSE WAAROP DIE WERKSAAMHEDE VAN DIE RAAD VERRIG MOET WORD EN DIE WYSE WAAROP DIE REKENINGE VAN DIE RAAD GEHOU MOET WORD

VERKIESING VAN AMPSDRAERS

1. Die volgende prosedure word gevolg wanneer die lede van die Raad kragtens die bepalings van artikel 8 (1) van die Wet, 'n president, 'n vise-president en 'n penningmeester verkies:

(a) Die aanwesige lede kies 'n tydelike voorsitter, desnoods per stembrief, die stembriewe moet deur die Registrateur opgeneem word;

(b) die vergadering gaan dan oor tot die verkiesing van 'n president per stembrief;

(c) enige lid kan 'n lid per stembrief vir die amp van president nomineer, en sodra die tydelike voorsitter die name van die aldus genomineerde lede aangekondig het, word daar tot stemming oorgegaan;

(d) indien slegs twee lede genomineer word, is die eerste stemming per stembrief beslissend, tensy daar 'n staking van stemme is;

(e) indien meer as twee persone genomineer word, word die kandidaat wat by die eerste stemming die kleinste getal stemme kry, uitgeskakel, en daarna word daar agtereenvolgens gestem en word kandidate uitgeskakel totdat net twee oorbly, wanneer die stemming dan beslissend is, tensy daar 'n staking van stemme is, in welke geval daar nogmaals per stembrief gestem word en, indien dit nie beslissend is nie, word die verkiesing beslis deur lootjies te trek;

(f) elke stem wat by sodanige stemming uitgebring word op 'n persoon wat nie genomineer is nie, is ongeldig.

2. Sodra die President verkies is, neem hy die voorsitterstoel in, en lede gaan dan oor tot die verkiesing agtereenvolgens van 'n Vise-President en 'n Penningmeester ooreenkomstig die prosedure wat in paragraaf 1 hierbo voorgeskryf word.

SCHEDULE B

THE SOUTH AFRICAN PHARMACY BOARD

SUMMONS TO APPEAR BEFORE THE SOUTH AFRICAN PHARMACY BOARD

To..(name)

....(occupation)

of..(residence)

You are hereby summoned to appear at..

....

on the..................................day of..................................19........, at ....h........ before the South African Pharmacy Board, established in terms of the Pharmacy Act, 1974, as amended, to give evidence respecting..

....

....

and you are required to bring with you..

....

Given under the hand of the..of the Board, this..................................day of....................................19........

....

President/Registrar

Barclays Bank Buildings
Church Square
Pretoria

No. R. 215 (Republic) 3 February 1978

THE SOUTH AFRICAN PHARMACY BOARD

The Minister of Health, on the recommendation of the South African Pharmacy Board, hereby makes the following regulations in terms of section 49 (1) (b) and (c) of the Pharmacy Act, 1974 (Act 53 of 1974), as amended, in substitution for the regulations published under Government Notice R. 673, dated 10 May 1963:

REGULATIONS RELATING TO THE MANNER IN WHICH THE BUSINESS OF THE SOUTH AFRICAN PHARMACY BOARD SHALL BE CONDUCTED AND THE MANNER IN WHICH THE ACCOUNTS OF THE BOARD SHALL BE KEPT

ELECTION OF OFFICE BEARERS

1. The following procedure shall be adopted when the members of the Board elect a president, a vice-president and a treasurer, in accordance with the provisions of section 8 (1) of the Act:

(a) The members present shall elect a temporary chairman, by ballot if necessary, the ballot to be taken by the Registrar;

(b) the meeting shall then proceed to elect a president by ballot;

(c) any member may nominate a member by ballot for the office of president and when the temporary chairman has announced the names of the members so nominated, he shall take a ballot;

(d) if only two members are nominated, the voting on the first ballot shall be final, except in the event of an equality of votes;

(e) if more than two persons are nominated, the candidate obtaining the lowest number of votes at the first ballot shall be eliminated and thereafter successive ballots shall be taken and candidates eliminated until only two remain, when the ballot shall be final, except in the case of an equality of votes, whereupon a further ballot shall be taken and, if that be indecisive, the election shall be decided by drawing lots;

(f) every vote given at such a ballot for a person who has not been nominated shall be invalid.

2. As soon as the President has been elected he shall take the chair and members shall then proceed to elect successively a Vice-President and a Treasurer in accordance with the procedure prescribed in paragraph 1 above.

WERKSAAMHEDE VAN AMPSDRAERS

President

3. Die President tree op alle vergaderings van die Raad as voorsitter op en is verantwoordelik vir die behoorlike verloop van die vergaderings. Benewens 'n gewone stem het hy ook 'n beslissende stem. Hy is ampshalwe 'n lid van alle komitees van die raad, maar hy tree nie as voorsitter op 'n vergadering van enige komitee op nie tensy hy voorsitter is van daardie komitee.

Penningmeester

4. Die Penningmeester hou toesig oor die finansiële administrasie van die Raad en moet op die vergadering wat in Januarie of Februarie en, indien hy dit nodig ag, op dié wat in Julie of Augustus gehou word, 'n verslag oor die Raad se finansiële posisie voorlê, insluitende besonderhede van inkomste en uitgawes.

VERGADERINGS

5. Die Raad vergader gewoonlik in Januarie of Februarie en in Julie of Augustus elke jaar, op datums en by plekke wat deur die Raad bepaal word.

6. Die Registrateur moet elke lid 14 dae skriftelike kennis van elke vergadering gee, uitgesonderd 'n buitengewone vergadering, en die kennisgewing moet die sake aandui wat op die vergadering behandel moet word. Die kennisgewingtydperk van 14 dae loop vanaf die datum van afsending van die brief.

7. Indien daar op 'n behoorlik belegde vergadering nie 'n kworum is nie, kan die President of, in sy afwesigheid, die tydelike Voorsitter, verklaar dat die vergadering uitgestel word tot op 'n datum deur hom bepaal, waarvan skriftelike kennis ooreenkomstig hierdie regulasies aan lede gegee moet word.

8. Vergaderings van die Raad is vir die publiek toeganklik, maar 'n lid kan te eniger tyd gedurende 'n vergadering voorstel dat die Raad in komitee gaan, waarop, indien sodanige mosie gesekondeer word, dit onmiddellik, sonder bespreking, tot stemming gebring moet word en, indien dit aangeneem word, beraadslaag die Raad agter geslote deure vir so lank as wat nodig geag word of totdat die onderwerp in bespreking afgehandel is.

9. Op elke vergadering van die Raad moet die volgende prosedure gevolg word by die afhandeling van die agenda: Met dien verstande dat die President, met die toestemming van die vergadering, indien hy dit raadsaam ag, die volgorde van die verrigtinge kan verander:

(a) Die notule van die vorige vergadering word vir goedkeuring voorgelê en, indien dit goedgekeur word, word dit deur die President, die Vise-president of die voorsittende lid onderteken;

(b) sake voortspruitend uit die notule van die vorige vergadering word bespreek;

(c) notule van komitees word vir bespreking voorgelê;

(d) die verslae van die Penningmeester en die Registrateur word vir bespreking voorgelê op die vergadering wat in Januarie of Februarie gehou word en, indien nodig, op dié wat in Julie of Augustus gehou word;

(e) sake wat van die vorige vergadering oorgehou word, en mosies waarvan op daardie vergadering kennis gegee is, word oorweeg;

(f) sake op die agenda wat deur die Registrateur gesirkuleer is, word oorweeg;

(g) enige ander sake kan met die toestemming van die President oorweeg word.

10. 'n Lid kan enige aangeleentheid voor die Raad vir bespreking bring deur vooraf skriftelik kennis aan die Registrateur te gee, wat lede deur middel van 'n omsendbrief daarvan moet verwittig: Met dien verstande dat

FUNCTIONS OF OFFICE BEARERS

President

3. The President shall preside at all meetings of the Board and shall be responsible for the proper conduct of the meetings. He shall have a deliberative and a casting vote. He shall be *ex officio* a member of all committees of the Board, but he shall not preside at meetings of any committee unless he is Chairman of that committee.

Treasurer

4. The Treasurer shall superintend the financial administration of the Board and shall, at the meeting held in January or February and, if he deems it necessary, at that which is held in July or August, submit a report on the Board's financial position, including details of income and expenditure.

MEETINGS

5. The Board shall ordinarily meet in January or February and in July or August each year on dates and at venues determined by the Board.

6. The Registrar shall give each member 14 days' notice in writing of each meeting, other than a special meeting, and the notice shall state the business to be transacted at the meeting. The notice of 14 days shall have effect from the date of dispatch of the letter.

7. If there is not a quorum at a properly convened meeting, the President, or in his absence, the Chairman for the time being, may declare the meeting postponed to a date to be determined by him, written notice of which shall be given to members in accordance with these regulations.

8. Meetings of the Board shall be open to public but a member may at any time during the course of a meeting move that the Board go into committee, whereupon, if such motion be seconded, it shall at once be put to the vote without discussion and, if it be carried, the Board shall proceed to deliberate in private for as long as may be deemed necessary or until the subject under discussion has been disposed of.

9. At every meeting of the Board, the following procedure shall be adopted when dealing with the business of the meeting: Provided that the President may, with the consent of the meeting, if he considers it expedient, vary the order of proceedings:

(a) The minutes of the last meeting shall be submitted for confirmation and, if confirmed, they shall be signed by the President, Vice-President or member presiding;

(b) matters arising from the minutes of the previous meeting shall be discussed;

(c) minutes of committees shall be submitted for discussion;

(d) the reports of the Treasurer and the Registrar shall be submitted for discussion at the meeting to be held in January or February and, when necessary, at that which is held in July or August;

(e) business deferred from, and notices of motion given at the previous meeting shall be considered;

(f) matters on the agenda circulated by the Registrar shall be considered;

(g) with the consent of the President, any other business may be considered.

10. A member may bring any matter before the Board for discussion by giving prior written notice to the Registrar, who shall advise members by circular: Provided that

kennis van 'n mosie om 'n besluit wat op 'n vorige vergadering geneem is, te herroep of te wysig, of om die Raad se regulasies of reëls te wysig, skriftelik deur die lid aan die Registrateur gegee moet word minstens 21 dae voor die vergadering waarop die mosie bespreek gaan word, en die Registrateur moet daarop sodanige mosie op die agenda plaas.

11. Behoudens soos in paragraaf 1 bepaal word en uitgesonderd wanneer stemming per stembrief aangevra word, word daar altyd op vergaderings van die Raad gestem deur hande op te steek.

12. (1) Die voorsitters van die Onderwyskomitee en die Praktykkomitee word deur die Raad per stembrief verkies.

(2) Die Raad moet, op sy eerste vergadering elke jaar, die volgende komitees aanstel:

(a) 'n Uitvoerende komitee, bestaande uit die President, wat die voorsitter is, die Vise-president, die voorsitters van die Praktykkomitee en die Onderwyskomitee, en die beampte van die Departement van Gesondheid deur die Minister kragtens artikel 5 (1) (a) (iii) van die Wet aangestel;

(b) 'n onderwyskomitee, bestaande uit die lede wat kragtens artikel 5 (1) (a) (i) van die Wet deur die Minister aangestel word en drie ander lede;

(c) 'n praktykkomitee, bestaande uit vyf lede.

(3) Die kworum vir elkeen van die komitees in subparagraaf (2) genoem, is drie.

OPDRAG AAN KOMITEES

13. (1) Die Uitvoerende Komitee moet oor aangeleenthede wat na die mening van die President dringende aandag vereis, beraadslaag en hulle afhandel, en enige handeling uitgevoer of besluit geneem deur die Uitvoerende Komitee is van krag tensy dit deur die Raad op sy eersvolgende vergadering tersyde gestel of gewysig word.

(2) Die Uitvoerende Komitee moet die bevoegdhede en ampspligte wat by artikel 39 (2) van die Wet aan die Raad verleen en toegewys word, uitoefen.

(3) Die Uitvoerende Komitee moet oor aangeleenthede betreffende registers, personeel en die bestuur van die Raad se kantore, finansies en enige ander aangeleenthede wat buite die opdrag van ander komitees val, beraadslaag en verslag doen en dit, indien nodig, afhandel: Met dien verstande dat indien 'n aangeleentheid wat binne die opdrag van 'n ander komitee val, dringende aandag vereis, die Uitvoerende Komitee dit kan afhandel.

14. Die Onderwyskomitee moet oor alle aangeleenthede betreffende farmaseutiese onderwys beraadslaag en daaroor verslag doen en kan aangeleenthede wat van tyd tot tyd deur die Raad aan hom gedelegeer word, afhandel, insluitende besluite oor die uitslae van eksamens vir die diploma in farmasie, die minimum leergange en leerplanne vir graad- en diplomakursusse, die evaluasie van opvoedkundige kwalifikasies, die verlening van vrystelling van diploma-eksamens en die inspeksie van farmasieskole.

15. Die Praktykkomitee moet oor alle aspekte van die etiese reëls, die professionele en besigheidsaspekte van die praktyk van die gemeenskapapteekwese en alle aspekte van hospitaal- en industriële apteekwese beraadslaag en verslag doen.

16. Die reglement van orde betreffende die hou van vergaderings van die Raad is *mutatis mutandis* op vergaderings van komitees van toepassing.

17. Die komitees vergader op plekke en datums wat deur hulle onderskeie voorsitters bepaal word.

18. Vergaderings van komitees is nie vir die publiek toeganklik nie.

notice of a motion to rescind or amend a resolution passed at any previous meeting, or to amend the Board's regulations or rules, shall be given by the member to the Registrar in writing at least 21 days before the meeting at which the motion is to be discussed and the Registrar shall thereupon place such motion on the agenda.

11. Save as is provided in paragraph 1 and except when a ballot is called for, all voting at meetings of the Board shall be by show of hands.

12. (1) The chairmen of the education and the practice committees shall be elected by the Board by ballot.

(2) The Board shall, at its first meeting each year, appoint the following committees:

(a) An executive committee, consisting of the President, who shall be the Chairman, the Vice-President, the chairmen of the Practice Committee and the Education Committee and the officer of the Department of Health appointed by the Minister in terms of section 5 (1) (a) (iii) of the Act;

(b) an education committee, consisting of the members appointed by the Minister in terms of section 5 (1) (a) (i) of the Act and three other members;

(c) a practice committee, consisting of five members.

(3) The quorum for each of the committees referred to in subparagraph (2) shall be three.

TERMS OF REFERENCE OF COMMITTEES

13. (1) The Executive Committee shall consider and deal with matters which, in the opinion of the President, require urgent attention and any act performed or decision taken by the Executive Committee shall be of force and effect unless it is set aside or amended by the Board at its next meeting.

(2) The Executive Committee shall exercise the powers and functions given to the Board by section 39 (2) of the Act.

(3) The Executive Committee shall consider and report on and, if necessary, deal with matters relating to registers, staff and the administration of the Board's offices, finance and any other matters which fall outside the terms of reference of other committees: Provided that, if a matter falling within the terms of reference of another committee requires urgent attention, the Executive Committee may deal with it.

14. The Education Committee shall consider and report on all matters relating to pharmaceutical education and it may deal with matters delegated to it by the Board from time to time, including decisions about the results of diploma in pharmacy examinations, the minimum curricula and syllabuses for the degree and diploma courses, the evaluation of educational qualifications, the granting of exemption from diploma examinations and the inspection of pharmacy schools.

15. The Practice Committee shall consider and report on all aspects of the ethical rules, the professional and business aspects of community pharmacy practice and all aspects of hospital and industrial pharmacy.

16. The standing orders relating to the conduct of meetings of the Board shall apply, *mutatis mutandis*, to meetings of committees.

17. The committees shall meet at venues and on dates determined by their respective chairmen.

18. Meetings of committees shall not be open to the public.

NOTULE

19. Die verrigtinge van vergaderings van die Raad moet vasgelê word in getikte notule, wat op die volgende vergadering, na goedkeuring, met die handtekening van die Voorsitter bekragtig word.

20. Behoudens andersluidende bepalings van hierdie regulasies moet—

(1) die notule van elke vergadering 'n opsomming bevat van die sake wat behandel is en die mosies en amendemente wat voorgestel en aangeneem of verwerp is, tesame met die name van die voorsteller en sekondant, maar sonder enige kommentaar of opmerkings van lede;

(2) die notule van komitees van die Raad 'n opsomming bevat van die sake wat behandel is en die besluite wat geneem is, maar sonder enige kommentaar of opmerkings van lede.

21. Die Registrateur moet so spoedig doenlik na afloop van elke vergadering 'n kopie van die notule van die vergadering, met inbegrip van die notule van die vaste komitees van die Raad, aan alle lede van die Raad stuur.

22. Die notule kan as gelees beskou word: Met dien verstande dat 'n lid kan voorstel dat 'n sekere notule gelees moet word ten einde sodanige verbetering daarin of byvoeging daarby aan te bring as wat nodig mag blyk.

FINANSIEEL

23. Alle geld wat deur die Raad ontvang word, moet onverwyld op naam van die Suid-Afrikaanse Aptekersraad gedeponeer word in 'n lopende en 'n voorskotrekening by sodanige bank as wat die Raad bepaal: Met dien verstande dat die Raad geld na goeddunke kan belê. Alle tjeks wat op die Raad se hoofbankrekening getrek word, moet deur die Registrateur of, in sy afwesigheid, die Assistent-registrateur en een van die volgende onderteken word: die President, die Vise-president of die Penningmeester. Alle tjeks wat op die voorskotrekening getrek word, moet deur die Registrateur of, in sy afwesigheid, die Assistent-registrateur, en een ander lid van die personeel deur die Raad aangewys, onderteken word.

24. Die Registrateur moet juiste en noukeurige rekeninge van alle inkomste en uitgawes hou, en hierdie rekeninge, wat minstens een maal elke jaar geouditeer moet word deur 'n ouditeur wat deur die Raad aangestel is, moet op 31 Desember elke jaar afgesluit word en 'n balansstaat, behoorlik geouditeer, moet, tesame met die Penningmeester se verslag daaroor, tydens die eerste vergadering elke jaar aan die Raad voorgelê word.

25. Die Registrateur, as hoof uitvoerende beampte van die Raad, teken namens die Raad kontrakte wat deur die Raad goedgekeur is.

No. R. 216 (Republiek) 3 Februarie 1978

DIE SUID-AFRIKAANSE APTEKERSRAAD

WYSIGING VAN DIE REGULASIES BETREFFENDE DIE GELDE WAT INGEVOLGE DIE WET OP APTEKERS, 1974, AAN EN DEUR DIE RAAD BETAALBAAR IS

Kragtens die bevoegdheid my verleen by artikel 49 (1) (d) van die Wet op Aptekers, 1974 (Wet 53 van 1974), wysig ek, Schalk Willem van der Merwe, Minister van Gesondheid, op aanbeveling van die Suid-Afrikaanse Aptekersraad, hierby die regulasies betreffende die gelde wat ingevolge die Wet op Aptekers, 1974 (Wet 53 van 1974), aan en deur die Raad betaalbaar is, afgekondig by Goewermentskennisgewing R. 349 van 21 Februarie 1975, soos gewysig by Goewermentskennisgewing R. 1340 van 6 Augustus 1976 en R. 15 van 7 Januarie 1977, deur in paragraaf 2 (3) (b) (i) (bb) die syfers "20" deur die syfers "30" te vervang.

MINUTES

19. The proceedings of meetings of the Board shall be preserved in the form of typewritten minutes, authenticated, after confirmation, at the next meeting by the signature of the Chairman.

20. Save as otherwise provided in these regulations—

(1) the minutes of each meeting shall contain a résumé of the subjects dealt with and of such motions and amendments as have been proposed and adopted or negatived, with the names of the proposer and seconder, but without any comment or observation by the members;

(2) the minutes of committees of the Board shall contain a résumé of the subjects dealt with and of the resolutions adopted, but without any comment or observations by the members.

21. The Registrar shall forward a copy of the minutes of each meeting, including the minutes of the standing committees of the Board, to all members of the Board as soon as reasonably possible after the meeting.

22. The minutes may be taken as read: Provided that any member may move that a certain minute shall be read with a view to such correction therein or addition thereto as may be found necessary.

FINANCIAL

23. All moneys received by the Board shall be deposited forthwith in the name of the South African Pharmacy Board in a current and impest account at such bank as may be decided upon by the Board: Provided that the Board may invest such moneys in such manner as it deems fit. All cheques drawn on the Board's main bank account shall be signed by the Registrar or, in his absence, the Assistant Registrar and any one of the following: the President, the Vice-President or the Treasurer; all cheques drawn on the imprest account shall be signed by the Registrar or, in his absence, the Assistant Registrar, and one other member of the staff designated by the Board.

24. The Registrar shall keep true and accurate accounts of all income and expenditure and these accounts, which shall be audited at least once in every year by an auditor appointed by the Board, shall be closed on 31 December in each year and a balance sheet, duly audited, shall be submitted to the Board, together with the Treasurer's report thereon, at the first meeting each year.

25. The Registrar, as chief executive officer, shall sign, on behalf of the Board, all contracts approved by the Board.

No. R. 216 (Republic) 3 February 1978

THE SOUTH AFRICAN PHARMACY BOARD

AMENDMENT OF THE REGULATIONS RELATING TO THE FEES PAYABLE BY AND TO THE BOARD UNDER THE PHARMACY ACT, 1974

By virtue of the powers vested in me by section 49 (1) (d) of the Pharmacy Act, 1974 (Act 53 of 1974), I, Schalk Willem van der Merwe, Minister of Health, on the recommendation of the South African Pharmacy Board, hereby amend the regulations relating to the fees payable by and to the Board under the Pharmacy Act, 1974, published under Government Notice R. 349 of 21 February 1975, as amended by Government Notices R. 1340 of 6 August 1976 and R. 15 of 7 January 1977, by the substitution, in paragraph 2 (3) (b) (i) (bb), for the figures "20" of the figures "30".

No. R. 217 (Republiek) 3 Februarie 1978

DIE SUID-AFRIKAANSE APTEKERSRAAD

KENNISGEWING KRAGTENS ARTIKEL 45 (2) VAN DIE WET OP APTEKERS, 1974 (WET 53 VAN 1974)

Onderstaande besonderhede rakende aptekers wat, na behoorlike ondersoek na hul gedrag, deur die Suid-Afrikaanse Aptekersraad, aan onbetaamlike of skandelike gedrag skuldig bevind en gestraf is, word hierby vir algemene inligting bekendgemaak:

No. R. 217 (Republic) 3 February 1978

THE SOUTH AFRICAN PHARMACY BOARD

NOTICE IN TERMS OF SECTION 45 (2) OF THE PHARMACY ACT, 1974 (ACT 53 OF 1974)

The following particulars concerning pharmacists found guilty of improper or disgraceful conduct by the South African Pharmacy Board, after due inquiry into their conduct, and upon whom penalties were imposed in terms of the Pharmacy Act, are published for general information:

Naam van persoon	*Aard van oortreding waaraan skuldig gevind*	*Straf opgelê*
Milton Sedwin Anley........	Onbetaamlike gedrag: Het reël 1 (9) (a) van die reëls betreffende handelinge of versuime ten opsigte waarvan die Raad tugstappe kan doen oortree deur op sodanige wyse te adverteer dat hy voorskrifte sou lok	Gewaarsku.
Johannes Willem du Toit....	1. Gedrag wat, indien sy beroep in aanmerking geneem word, skandelik was: Het reël 3 (1) van die reëls betreffende handelinge of versuime ten opsigte waarvan die Raad tugstappe kan doen oortree deur 'n voorgeskrewe medisyne met 'n ander te vervang, sonder om die voorskrywer te raadpleeg	Berispe en gewaarsku.
	2. Onbetaamlike gedrag: Het artikel 42 (1) van die Wet op Aptekers oortree deur buitensporige gelde te eis vir medisyne wat hy verskaf het	Gewaarsku.
Johannes Jacobus Jooste....	Onbetaamlike gedrag: Het reël 1 (6) van die reëls betreffende handelinge of versuime ten opsigte waarvan die Raad tugstappe kan doen oortree deur monsters van 'n Bylae 1-medisyne in briewebusse van plaaslike inwoners te laat plaas	Gewaarsku.
Rubin Gabriel Norwitz.......	1. Onbetaamlike gedrag: Het artikel 29 (1) van die Wet op Aptekers oortree deurdat hy toegelaat het dat 'n ongeregistreerde persoon handelinge wat by uitstek tot die beroep van 'n apteker behoort verrig	Berispe.
	2. Skandelike gedrag: Het reël 1 (6) van die reëls betreffende die handelinge en versuime ten opsigte waarvan die Raad tugstappe kan doen oortree deur sy versuim om behoorlike en redelike sorg te dra by en beheer uit te oefen oor die aanskaffing, opberging, verkoop en verskaffing van medisyne onder sy beheer	Geskors vir drie maande van beoefening van sy beroep.
Ralph Wagenheim..........	Gedrag wat, indien sy beroep in aanmerking geneem word, skandelik was: Het minagtend teenoor die Raad opgetree deur 'n strooibiljet te versprei waarin 'n advertensie verskyn wat in wese dieselfde was as 'n advertensie in verband waarmee hy reeds om 'n verduideliking van sy gedrag gevra is	Geskors vir een maand van beoefening van sy beroep.

Name of person	*Nature of offence of which found guilty*	*Penalty imposed*
Milton Sedwin Anley........	Improper conduct: Contravened rule 1 (9) (a) of the rules relating to acts or omissions in respect of which the Board may take disciplinary steps by advertising in such a manner as to tout for prescriptions	Cautioned.
Johannes Willem du Toit....	1. Conduct which, when regard was had to his profession, was disgraceful: Contravened rule 3 (1) of the rules relating to acts or omissions in respect of which the Board may take disciplinary steps by substituting another medicine for that which had been prescribed, without consulting the prescriber	Reprimanded and cautioned.
	2. Improper conduct: Contravened section 42 (1) of the Pharmacy Act by levying an excessive charge for medicine which he supplied	Cautioned.
Johannes Jacobus Jooste.....	Improper conduct: Contravened rule 1 (6) of the rules relating to acts or omissions in respect of which the Board may take disciplinary steps by causing samples of a Schedule 1 medicine to be placed in the post boxes of local residents	Cautioned.
Rubin Gabriel Norwitz......	1. Improper conduct: Contravened section 29 (1) of the Pharmacy Act by permitting an unregistered person to perform acts specially pertaining to the profession of pharmacist	Reprimanded.
	2. Disgraceful conduct: Contravened rule 1 (6) of the rules relating to acts or omissions in respect of which the Board may take disciplinary steps by failing to exercise proper and reasonable care and control over the acquisition, storage, sale and supply of medicines under his control	Suspended from practising for three months.
Ralph Wagenheim..........	Conduct which, when regard was had to his profession, was disgraceful: Acted in contempt of the Board by distributing a handbill containing an advertisement substantially the same as an advertisement for which he had already been requested to furnish an explanation of his conduct	Suspended from practising for one month.

INHOUD

No. *Bladsy No.*

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