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# PHARMACY REGISTRATION BOARD OF WESTERN AUSTRALIA

(A.B.N. 75 635 660 854)

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Mr Colin Emmott  
Registrar

PO Box 8124  
Perth BC WA 6849

Ms Sue Errington-Wood  
Assistant to the Registrar

Level 4, 130 Stirling Street  
Perth WA 6000

Telephone: (08) 9328 4388  
Facsimile: (08) 9328 4399  
Email: [pharmacyboard@hlbwa.com.au](mailto:pharmacyboard@hlbwa.com.au)  
Website: [www.pharmacyboardwa.com.au](http://www.pharmacyboardwa.com.au)

## Communiqué

31 May 2017

1. Registration Renewal Forms 2017/2018 – Important Information
2. When can a pharmacy be supplied with scheduled medicines?
3. Attendance before the Board

### **REGISTRATION RENEWAL FORMS 2017/2018 – IMPORTANT INFORMATION**

The Board has been transitioning from its old registration system to a new one.

We have just discovered that two lines of the address have been left off the forms resulting in some of the forms not being delivered. This was not encountered during the testing phase.

If you have not received the forms, please advise Sue Errington-Wood (Assistant to the Registrar) immediately at [PharmacyBoard@hlbwa.com.au](mailto:PharmacyBoard@hlbwa.com.au), so that a new form can be forwarded.

We sincerely apologise for any inconvenience this may cause.

### **WHEN CAN A PHARMACY BE SUPPLIED WITH SCHEDULED MEDICINES?**

Questions have been asked as to when a pharmacy can be supplied with scheduled medicines and whether this has changed since the enactment of the *Medicines and Poisons Act 2014 (WA)*.

**From the perspective of when deliveries from wholesalers can legally occur or scheduled stock can be transferred in a relocation, nothing has changed.**

Under the *Poisons Act 1964 (WA)* (the Old Poisons Act):

The Pharmacy Registration Board of Western Australia (PRBWA) advised a “with effect from” (WEF) date for approval of the pharmacy premises under the *Pharmacy Act 2010 (WA)* and the Department of Health issued the Licence as being “valid from” the WEF date i.e. delivery of scheduled medicines to the premises could not legally occur until the “valid from” date of the Licence issued.

The “issue date” printed on the Licences issued had no significance other than that was the date the Department of Health printed the physical Licence.

Under the *Medicines and Poisons Act 2014 (WA)* (the New Poisons Act):

Only a pharmacy approved under the *Pharmacy Act 2010 (WA)* can be supplied with scheduled medicines. A pharmacy is not “approved” until the WEF date advised by the PRBWA i.e. delivery of scheduled medicines to the premises cannot legally occur until the WEF date.

**Please take this into consideration when determining the time required between the WEF date and the opening date of a pharmacy.**

## **ATTENDANCE BEFORE THE BOARD**

As part of the Board’s recent inspection and audit process, the Board has noted that some applicants are signing declarations that the premises comply with the *Pharmacy Act 2010 (WA)* (Act), *Pharmacy Regulations 2010 (WA)* (Regulations) and the Board’s Guidelines, without satisfying themselves as to the compliance of all items.

The Board reminds all applicants that in addition to the Board cancelling the registration of premises where an application contains or is accompanied by information that is false or misleading in a material particular, the Act also provides for substantial penalties for providing false or misleading information.

As a result of concerns regarding information accompanying applications, the Board has requested some applicants to appear before it to explain certain matters associated with their applications. Applicants are reminded that the renewal of the registration of premises is an “Application” and as such applicants may be requested to attend before the Board to explain any matters associated with the renewal, including the accompanying declaration.

### **Recent attendee before the Board**

The Board has recently had a pharmacist appear before the Board in respect of applications made to the Board. The pharmacist had a proprietary interest in a pharmacy which was subsequently relocated. The following is a summary of that attendance.

The pharmacist with a proprietary interest was found to have failed to comply with the Act and Regulations at the registered premises in that:

- (a) Premises in which the pharmacist had a proprietary interest had not complied with the Minimum Standards at the time of the Board’s inspection or desk top audit activities.
- (b) The pharmacist provided statements and documents to the Board that were neither timely nor accurate.

The Board was not satisfied the pharmacist had systems in place that would ensure ongoing compliance with the Minimum Standards in pharmacies in which they had a direct or proprietary interest. Consequently, the pharmacist was reprimanded and the Board decided that the pharmacist with a proprietary interest is required to provide the Board with a:

- Monthly report of how compliance is achieved at the relocated pharmacy.
- Copy of the checklist used for locums and new staff at the relocated pharmacy for its consideration.
- Copy of the induction documentation, once finalised, for the relocated pharmacy for its consideration.

The Board further decided:

- To advise the Department of Health of its concerns regarding the integrity of scheduled medicines stored at the former pharmacy for supply.

- If any future Inspections, or other compliance activity, such as a Desktop Audit, conducted at the premises for any pharmacy business in which the pharmacist has a proprietary interest identifies any matter or any statement, or documents provided are found to be subsequently untrue or incorrect, the Board will consider making a notification to the Pharmacy Board of Australia alleging unprofessional conduct.

**John Harvey**  
Presiding Member