



# LAWS OF MALAYSIA

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REPRINT

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**Act 371**

## **REGISTRATION OF PHARMACISTS ACT 1951**

*Incorporating all amendments up to 1 January 2006*

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**REGISTRATION OF PHARMACISTS ACT 1951**

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## Act 371

### REGISTRATION OF PHARMACISTS ACT 1951

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## LAWS OF MALAYSIA

### Act 371

#### REGISTRATION OF PHARMACISTS ACT 1951

An Act relating to the establishment of a Pharmacy Board and the registration of pharmacists.

[1 February 1952]

#### Short title and application

1. (1) This Act may be cited as the Registration of Pharmacists Act 1951.

(2) This Act shall apply only to the States of Peninsular Malaysia.

#### Interpretation

2. In this Act, unless the context otherwise requires—

“Board” means the Pharmacy Board established under section 3;

“dangerous drug” means any drug or substance which is for the time being comprised in the First Schedule to the Dangerous Drugs Act 1952 [*Act 234*] or any corresponding schedule to any other written law relating to dangerous drugs in force in Malaysia;

“fully registered pharmacist” means a person fully registered under section 6B;

“person” does not include a body corporate;

“poison” means any article deemed to be a poison within the meaning of the Poisons Act 1952 [*Act 366*], or of any other written law relating to poisons in force in Malaysia;

“provisionally registered” means provisionally registered under section 6;

“public services” has the meaning assigned to it in Article 132 of the Federal Constitution and, in addition, it also means the service of any local authority or the service of any statutory authority exercising powers vested in it by federal or State law, and the expression “public service” shall be construed accordingly;

“registered pharmacist” means a provisionally registered pharmacist under section 6 or a fully registered pharmacist under section 6B, as the case may be;

“therapeutic substance” means any substance which may be prescribed by the Board to be a therapeutic substance for the purpose of this Act:

Provided that where any written law dealing with therapeutic substances is in force in Malaysia no substance shall be so prescribed unless it is a therapeutic substance within the meaning of such written law.

### **Establishment and constitution of Pharmacy Board**

**3.** (1) There shall be established a Pharmacy Board consisting of the following members:

- (a) the Director General of Health *ex officio*;
- (b) the Director of Pharmaceutical Services *ex officio*;
- (c) eight registered pharmacists in the public service, appointed by the Minister;
- (d) three registered pharmacists from any higher educational institution offering a course or programme in pharmacy, appointed by the Minister;
- (e) two registered pharmacists not in the public service, appointed by the Minister; and
- (f) three registered pharmacists not in the public service, nominated by the association representing pharmacists in private practice, approved and appointed by the Minister,

who shall be citizens of Malaysia.

(2) The period of appointment of members, other than *ex officio* members, shall be three years, but such members shall be eligible for re-appointment.

(3) Notwithstanding subsection (2), the Minister may, at any time, at his discretion, suspend or terminate the appointment of any member of the Board, other than an *ex officio* member, and may appoint another person in his place or in the place of any member who retires or who, for the time being, is unable to act or who is absent from three consecutive meetings of the Board without such excuse as may seem reasonable to the Minister:

Provided that where any member of the Board has been nominated in accordance with any of the provisions of subsection (1), the Minister shall not appoint any person in his place other than a person duly nominated in the same manner as such member.

(4) All acts done by the Board shall, notwithstanding any vacancy in the Board or that it is afterwards discovered that there was a defect in the appointment of a person purporting to be a member thereof, be as valid as if no such vacancy or defect had existed.

(5) For the purpose of subsection (1), “citizens of Malaysia” shall not include permanent residents of Malaysia.

#### **President and meetings of the Board**

4. (1) The Director General of Health shall be President of the Board and shall be Chairman of all meetings at which he attends.

(2) In the absence of the President from any meeting, the members present shall elect one of their number to be Chairman.

(3) The Chairman at any meeting shall have an original vote and also, if upon any question the votes are equally divided, a casting vote.

(4) The Board shall meet at such places and times as the President may appoint and at any meeting nine members shall form a quorum.

#### **Register of pharmacists**

5. For the purposes of this Act, a register of pharmacists (hereinafter referred to as the register) shall be kept, in such form as may be prescribed, by the Director of Pharmaceutical Services, (hereinafter referred to as the Registrar), who shall be responsible for the maintenance and custody thereof and shall perform such duties in connection therewith as may be prescribed.

**Persons entitled to provisional registration**

**6.** (1) Subject to the other provisions of this Act, a person shall be entitled to be provisionally registered as a pharmacist, solely for the purpose of obtaining the experience specified in section 6A, upon application to the Registrar in the prescribed form if the holds—

- (a) any of the qualifications specified in the First Schedule; or
- (b) a qualification in pharmacy, other than the qualifications referred to in paragraph (a), deemed suitable for registration by the Minister after consulting the Board.

(2) Any person provisionally registered under paragraph (1)(b) may be subject to such restrictions and conditions as may be imposed by the Minister on the advice of the Board, and where restrictions and conditions are so imposed the registration of that person shall have effect subject to such restrictions and conditions.

(3) The Minister may from time to time, after consulting the Board, add to, delete from or amend the First Schedule by order published in the *Gazette*.

**Experience which a provisionally registered person shall be required to obtain**

**6A.** (1) Subject to the provisions of this Act, a person who is provisionally registered shall be required to obtain experience as provided for in subsection (2) in order to be entitled to apply for full registration under section 6B.

(2) The provisionally registered person shall, immediately upon being provisionally registered, engage in employment as a pharmacist to the satisfaction of the Board for a period of not less than one year in any of the premises listed in the Second Schedule.

(3) The Board may extend for not more than one year the period of employment of a provisionally registered person if the Board is not satisfied with the performance of the person as a pharmacist.

(4) The provisional registration of a person shall be revoked if the person fails to comply with subsection (2).

(5) The Minister may from time to time, after consulting the Board, add to, delete from or amend the Second Schedule by order published in the *Gazette*.

(6) A provisionally registered person shall be deemed to be registered under this Act so far as is necessary—

(a) to enable him to enter upon and engage in the employment mentioned in subsection (2); and

(b) for the purposes of any written law or such other purposes as the Minister may direct,

but no further.

(7) The Board may exempt from subsection (2) any person who holds any of the qualifications referred to in subsection 6(1) and has been registered by any registration body responsible for the registration of pharmacists recognized by the Board if the Board is satisfied that such person has gained experience which is not less both in character and scope and in length of time in an institution or hospital approved by the Board.

(8) A provisionally registered person shall during the period of employment under subsection (2) be deemed to be a public servant within the meaning of the Penal Code [*Act 574*].

### **Person entitled to full registration**

**6B.** (1) Subject to the provisions of this Act, no person shall be entitled to be a fully registered pharmacist under this Act unless he has—

(a) gained experience as required under section 6A; or

(b) been exempted under subsection 6A(7).

(2) An application for full registration shall be in accordance with the provisions of this Act and the regulations made under this Act.

(3) Notwithstanding anything to the contrary contained in this Act, a person may, subject to such restrictions and conditions as may be stipulated by the Minister, be fully registered under this section if the person seeking registration under this subsection possesses a qualification which the Minister after consulting the Board is satisfied is adequate.

**Restriction on use of certain titles**

7. (1) No person, unless he is registered under this Act, shall take or use the name or title of pharmaceutical chemist or pharmacist or chemist and druggist or druggist or pharmacist, or take or use in connection with the sale of goods by retail the name or title of chemist or any other name, title, addition or description implying that he or any person employed by him is registered or entitled to be registered under this Act.

(2) No person shall take or use or affix to, or use in connection with, his premises any title or description reasonably calculated to suggest that he or anyone employed in the business carried on in his premises possesses any qualification with respect to the selling, dispensing or compounding of drugs or poisons other than the qualifications which he in fact possesses.

(3) For the purpose of subsection (1), the use of the description “pharmacy” or “dispensary” in connection with a business carried on in any premises shall be deemed to be in connection with the sale of goods by retail and to imply that the owner of the business or the person having the control of the business in those premises is registered under this Act:

Provided that nothing in this section shall apply to the use of the word “dispensary” by a medical practitioner, registered for the time being under any written law relating to the registration of medical practitioners in force in Malaysia, or by a veterinary surgeon, in connection with the practice of his profession in his own personal practice or business, or in a practice or business partnership of which every member is a registered medical practitioner, or to the use of the word “dispensary” in connection with dispensaries under the control of the Government or of any local authority.

(4) Any person who acts in contravention of this section shall be guilty of an offence liable on conviction before a Sessions Court to a penalty not exceeding five hundred ringgit, and to a further penalty of fifty ringgit for every day during which the offence continues.

### **Application for registration**

**8.** (1) Any person entitled to be provisionally or fully registered under this Act may apply to the Registrar for registration accordingly.

(2) Every application for such registration shall be made in such manner and shall be accompanied by such documents, photographs and particulars as may be prescribed and by proof of identity to the satisfaction of the Board.

(3) When the Board is satisfied that the applicant is entitled to be provisionally or fully registered and that the applicant has complied with the requirements of subsection (2) and has paid the prescribed fee, the Board shall, subject to section 9, admit the applicant to the register.

### **Power to refuse registration in certain cases**

**9.** If any person applying for registration has been convicted of any offence which in the opinion of the Board renders him unfit to be on the register or, after due inquiry by the Board, is deemed by it to have been guilty of infamous conduct in any professional respect, the Board may refuse to admit such person to the register. Upon such inquiry, the person against whom such conduct is alleged shall be entitled to appear by himself or with or by counsel and to be heard personally or by counsel.

### **Entry of higher qualifications**

**10.** Every person registered under this Act who has obtained any higher qualification than the qualification in respect of which he has been registered shall be entitled to have such higher qualification inserted in the register in substitution for or in addition to the qualification previously registered, without payment of any further fee.

### **Issue of certificate of registration**

**11.** Where a person has been admitted to the register under section 6B, the Board shall issue to him a certificate of registration in the prescribed form, and a photograph of such person shall be affixed to such certificate.

**Temporary registration**

**11A.** (1) Notwithstanding anything to the contrary contained in this Act, the Board may, upon application in writing, temporarily register, subject to such conditions and restrictions as the Board deems fit to impose, a person who is registered as a pharmacist outside Malaysia.

(2) The Board shall issue to a person temporarily registered under subsection (1) a temporary registration certificate.

(3) The holder of such temporary registration certificate shall, while the certificate remains in force and subject to the restrictions and conditions specified in the certificate, be deemed to be a fully registered pharmacist.

(4) The Board may at any time cancel the temporary registration of a person under this section and temporary registration certificate issued to such person shall thereupon lapse.

**Purpose and duration**

**11B.** (1) Sections 11C, 11D, 11E and 11F are enacted for national purposes.

(2) Sections 11C, 11D, 11E and 11F shall cease to be in force if Parliament, by resolution passed by each of the Houses of Parliament and published in the *Gazette*, provides that those sections shall no longer continue to remain in force.

**Notice to registered pharmacist to serve in the public services**

**11C.** (1) Every person who obtains full registration under section 6B shall be liable immediately upon being so registered or at any time thereafter to be served with a written notice issued by or on behalf of the Director General of Health requiring such person to assume appointment as a pharmacist in such post in such public service and on such date as may, in each of these respects, be specified in the notice.

(2) A person served with a notice under subsection (1) shall comply with such notice and if he fails to do so, he shall be guilty of an offence under this Act and is liable on conviction to a fine not exceeding fifty thousand ringgit.

(3) Immediately upon a charge under subsection (2) or under section 11D being proved in court against any person, the registration of such person under section 6B shall be deemed to be revoked, and the Registrar shall strike off from the register the name of such person.

(4) Where the name of a person is struck off from the register under subsection (3), it shall not be restored on the register except upon a direction given by the Minister, and the Minister may give such direction upon an application in writing being made to him by the person whose name has been struck off from the register.

(5) Any direction given by the Minister under subsection (4) in respect of any person may be made subject to the fulfilment of such terms and conditions as the Minister may deem fit to impose, and such terms and conditions may include terms and conditions requiring such person to serve as a pharmacist to the satisfaction of the Director General of Health for a continuous total period of not more than three years in such post or posts in such one or more of the public service as may from time to time be determined by the Director General of Health in his discretion.

(6) While the person whose name is restored under subsection (4) is fulfilling and conditions imposed under subsection (5), he shall be deemed to be registered so far as is necessary to fulfil the terms and conditions imposed under subsection (5) and for such other purposes as the Minister may direct, but no further, and upon fulfilment of the terms and conditions imposed under subsection (5), he shall be entitled to a certificate issued by the Director General of Health as evidence of such fulfilment.

(7) The decision of the Minister upon an application made to him under subsection (4) for the restoration of a name on the register shall be final.

(8) Where a notice under subsection (1) has been served on any person liable to be served, the Director General of Health may at any time cancel the notice and, if he thinks fit, cause to be served on him a further notice.

**Period of service in pursuance of a notice under subsection 11c(1)**

**11D.** A person who commences to serve in a post in a public service in pursuance of a notice issued under subsection 11c(1), shall continue to serve in that post or in such subsequent post or posts in the same or such other public service as may from time to time be determined by the Director General of Health in his discretion for a continuous total period of not more than three years to the satisfaction of the Director General of Health and if he fails to do so, he shall be guilty of an offence under this Act and is liable on conviction to a fine not exceeding fifty thousand ringgit.

**Power of Minister to grant reduction, exemption or postponement from period of service under section 11D**

**11E.** (1) The Minister may, after consultation with the Board, by order published in the *Gazette*—

- (a) in respect of any particular person;
- (b) generally in respect of any class of persons during such period as he may specify;
- (c) generally in respect of all persons during such period as he may specify,

grant such reduction as he may consider appropriate or complete exemption from the period of service required under section 11D.

(2) The Minister may, upon application being made to him in writing by any person liable to undergo the period of service required under section 11D, grant to such person postponement from commencing such service for such period as he may consider appropriate if he is satisfied that it would be just and reasonable to do so.

(3) The decision of the Minister upon application made to him under subsection (2) shall be final.

**Minister may make rules**

**11F.** The Minister may make rules for carrying into effect the objects and purposes of sections 11C, 11D and 11E.

### **Conditions as to sale of drugs by registered pharmacist**

**12.** (1) A registered pharmacist carrying on a business shall, so far as such business relates to the keeping, retailing, dispensing, and compounding of poisons, dangerous drugs or therapeutic substances, comply with the following conditions:

- (a) in each set of premises where the business is carried on, the business shall be *bona fide* conducted by the registered pharmacist himself or some other registered pharmacist;
- (b) the name and certificate of registration of the person by whom the business is so conducted in any premises shall be conspicuously exhibited in those premises.

(2) Any person failing to comply with any such condition shall be guilty of an offence and shall be liable on conviction before a Sessions Court to a penalty not exceeding five hundred ringgit and to a further penalty of fifty ringgit for every day during which the offence continues.

### **Registration of bodies corporate**

**13.** (1) For the purposes of this Act, the Registrar shall enter in the register in such form and manner as may be prescribed, the name of every body corporate carrying on within Malaysia a business of keeping, retailing, dispensing and compounding poisons, dangerous drugs or therapeutic substances and entitled to be registered under this section.

(2) No such body corporate shall be registered under this Act unless the Board is satisfied that such business will be under the control and management of a superintendent who is a registered pharmacist and who does not act at the time in a similar capacity for any other body corporate firm or partnership or in any other business on his own behalf.

(3) Upon the registration of a body corporate under this section, a certificate of registration in the prescribed form and such number of copies thereof as may be required shall be issued to it by the Board.

(4) Subject to this section, a body corporate registered under this section carrying on a business, so far as it relates to the keeping, retailing, dispensing and compounding of poisons, dangerous drugs or therapeutic substances shall comply with the following conditions:

- (a) the business of the body corporate shall be under the control and management of a superintendent who is a registered pharmacist and who does not act at the time in a similar capacity for any other body corporate firm or partnership or in any other business on his own behalf;
- (b) in each set of premises where the business is carried on, it shall, if not personally conducted by the superintendent, be *bona fide* conducted under the direction of the superintendent by a manager or assistant who is a registered pharmacist;
- (c) where the business is personally conducted in any premises by the superintendent, his certificate of registration shall be conspicuously exhibited in those premises, and, where the business is conducted in any premises by a manager or assistant, his certificate of registration shall be conspicuously exhibited in those premises;
- (d) the certificate or a copy of the certificate of the registration of the body corporate under this section shall be conspicuously exhibited in each set of premises where the business is carried on.

(5) A body corporate registered under this section may, if and so long as it complies with the requirements of subsection (4), use the name or title of chemist and druggist or dispensing chemist or dispensing druggist, and the premises at which the business is carried on may be described as a pharmacy.

(6) No body corporate, unless it is registered under this section and complies with the requirements of subsection (4), shall use the name or title of chemist and druggist or dispensing chemist or dispensing druggist or describe the premises at which it carries on business as a pharmacy and no body corporate, whether registered or not, shall, subject to subsection (5), use any name title addition or description which it would have been forbidden by section 7 to use had it been a person within the meaning of such section.

(7) If—

- (a) a body corporate carrying on a business which comprises the retail sale of poisons, dangerous drugs or therapeutic substances has been convicted of an offence under this Act or under any written law relating to poisons, dangerous drugs or therapeutic substances in force in; or
- (b) any director or officer of or other person in the employment of any such body—
  - (i) has been convicted of an offence under this Act or the aforesaid written laws;
  - (ii) has been convicted of any other criminal offence which in the opinion of the Board renders him, or would if he were a registered pharmacist render him, liable to any of the punishments under section 18A; or
  - (iii) has been guilty of any misconduct which, in the opinion of the Board, renders him, or would if he were a registered pharmacist render him, liable to any of the punishments under section 18A,

the Board may inquire into the case and may, unless the body corporate satisfies the Board that the act or omission in question was not connived at or instigated by their superintendent or by any of their directors or managers, and that the person guilty thereof is no longer in their employment, refuse to register such body corporate or, in the case of a body corporate already registered, if it deems fit, impose any of the punishments under section 18A.

(8) The Board may remove the name of any body corporate from the register when—

- (a) the registration of such body has been obtained by any fraudulent or incorrect statement; or
- (b) such body has ceased to carry on the business mentioned in subsection (1).

(9) Any body corporate, acting in contravention of subsection (6) or, if registered under this section, failing to comply with the conditions imposed by subsection (4) thereof, shall be guilty of an offence and liable on conviction before a Sessions Court to a penalty not exceeding two thousand ringgit and to a further penalty not exceeding fifty ringgit for every day during

which such offence continues and every person who was a director or officer of such body corporate or was purporting to act in any such capacity at the date of the commission of the offence shall be deemed guilty of that offence unless he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of the offence and shall be liable on conviction before a Sessions Court to a penalty not exceeding two hundred ringgit and a further penalty not exceeding twenty-five ringgit for every day during which such offence by him continued.

(10) If the Board thinks fit in any case so to do, it may, either of its own motion or on the application of the body corporate concerned, direct the restoration to the register of the name of any body corporate.

#### **Continuation of business of deceased registered pharmacist or dispenser by his representative**

**14.** (1) Subject to this section, if a registered pharmacist dies while carrying on a business which comprises the retail sale of poisons, dangerous drugs or therapeutic substances, any executor, administrator or trustee of his estate who carries on the business after his death in accordance with the conditions hereinafter mentioned shall be entitled to use in connection with the business such titles and descriptions as might have been used by the deceased registered pharmacist.

(2) The conditions referred to in subsection (1) shall be the following:

- (a) in each set of premises in which the business is carried on, the business must be *bona fide* conducted by a registered pharmacist;
- (b) the name and certificate of registration of the person by whom the business is so conducted in any premises shall be conspicuously exhibited in those premises.

(3) If any such executor, administrator or trustee or any person in his employment—

- (a) has been convicted of an offence under this Act or under any written law relating to therapeutic substances, or dangerous drugs or poisons for the time being in force in Malaysia; or

- (b) has been convicted of any other criminal offence, or been guilty of any misconduct, which, in the opinion of the Board, renders him, or would if he were a registered pharmacist render him, liable to any of the punishments under section 18A,

the Board may inquire into the case and may, unless in the case of an act or omission by a person in his employment, the executor, administrator or trustee satisfies the Board that the act or omission in question was not connived at or instigated by him, direct that he shall cease to be entitled to use any title or description which might have been used by the deceased registered pharmacist.

### **Publication of register and presumptions**

**15.** (1) The Registrar shall publish annually in the *Gazette*, as soon as practicable after the first day of January of each year, a list containing the names, addresses, qualifications and dates of qualifications of all registered pharmacists and of all bodies corporate registered under section 13. The Registrar shall also publish in the *Gazette* any changes that may be made in the register from time to time.

(2) The publication of such list shall be *prima facie* evidence that the persons or bodies corporate named therein are registered under this Act.

(3) The absence of the name of any person or body corporate from such list shall be *prima facie* evidence that such person or body is not registered under this Act.

(4) A certificate under the hand of the Registrar that the name of a person has been entered or removed from the register shall be conclusive evidence that a person is or is not registered under this Act, as the case may be.

### **Annual certificate**

**16.** (1) Every registered pharmacist or body corporate who desires his or its name to be retained on the register shall, before the end of every year, make application in the prescribed manner, and shall pay the prescribed fee, for retention of his or its name on the register during the ensuing year.

(2) Upon such application and payment, the applicant shall, subject to this Act, be entitled to a certificate (hereinafter referred to as the “annual certificate”) that he or it is registered under this Act.

(3) The annual certificate shall be issued by the Registrar and shall, unless cancelled under section 17 be in force from the date of issue to the end of the year.

(4) The name of any registered pharmacist or body corporate who fails to obtain an annual certificate prior to the commencement of any year shall be removed from the register.

(5) Any registered pharmacist or body corporate who has failed to obtain an annual certificate prior to the commencement of any year, but who subsequently makes application in such manner and pays such additional fee as may be prescribed, may be granted an annual certificate for the remainder of the year, and his or its name may be re-entered in the register.

### **Inquiry, restoration into register and removal from register by the Board**

**17.** (1) If it comes to the knowledge of the Board that a registered pharmacist—

- (a) has obtained registration by a fraudulent or incorrect statement;
- (b) has been convicted of any offence which, in the opinion of the Board, renders him unfit to be on the register or of any offence under this Act or under any written law in force in Malaysia relating to poisons, dangerous drugs or therapeutic substances; or
- (c) has been guilty of infamous or disgraceful conduct in a professional sense,

the Board may inquire into the case and may if it thinks fit impose any of the punishments under section 18A.

(1A) The Board may remove the name of a registered pharmacist from the register if such person—

- (a) is deceased;

- (b) has permanently left Malaysia; or
- (c) is of unsound mind or, by reason of some other infirmity, is in the opinion of the Board incapable of practising as a pharmacist.

(2) If the Board thinks fit in any case so to do, it may, either of its own motion or on the application of the person concerned, direct the restoration to the register of any name which has been removed from the register.

(3) Where a person is registered pursuant to subparagraph 6(2)(a)(i) and his registration is subject to any restrictions and conditions imposed by the Minister pursuant to paragraph (c) of the aforementioned section, the name of such registered pharmacist may also be removed from the register by the Board—

- (a) if such registered pharmacist commits a breach of any of the restrictions and conditions under which he is registered; or
- (b) if the restriction and condition so imposed relate to the restricted registration of such registered pharmacist as described in paragraph 6(2)(d) and the period within which the restricted registration shall have effect has expired.

(4) Where the name of a registered pharmacist has been removed by the Board under the preceding subsection his annual certificate shall cease to have effect.

### **Alterations in, and erasure of names from the register**

**18.** The Registrar shall from time to time insert in the register any alteration which may come to his knowledge in the name or address of any registered pharmacist, or body corporate and shall erase from the register the names of all such registered pharmacists or bodies corporate as are ordered by the Board to be removed therefrom:

Provided that any name so removed may at any time be restored to the register by direction of the Board.

## **Punishments**

**18A.** (1) The Board may, at the conclusion of an inquiry under subsection 13(7) or subsection 17(1), impose any of the following punishments:

- (a) order the name of the registered pharmacist or body corporate to be removed from the register;
- (b) order the name of the registered pharmacist or body corporate to be suspended from the register for such period as it may think fit; or
- (c) order the registered pharmacist or body corporate to be reprimanded.

(2) The Board may also, at the conclusion of the inquiry mentioned in subsection (1)—

- (a) order the registered pharmacist or body corporate to pay costs to the Board or complainant where an order under any of the paragraphs in subsection (1) is made;
- (b) order the complainant to pay costs to the registered pharmacist or body corporate where no case has been made out against the registered pharmacist or body corporate,

and such costs may be recovered as a civil debt.

## **Appeal against removal from register or refusal to register**

**19.** Any person or body corporate aggrieved by any of the punishments imposed by the Board under section 18A, or by any refusal or failure to enter his or its name in the register, or by any refusal to issue to him or to it an annual certificate, or by any cancellation of his or its annual certificate, may appeal to the Minister whose decision shall be final.

## **Fraudulent registration**

**20.** Any person who fraudulently procures or attempts to procure himself or any other person or body corporate to be registered under this Act shall, on conviction before a Sessions Court, be liable to imprisonment for a term not exceeding one year or to a fine not exceeding five hundred ringgit or to both.

### **Appointment and powers of Inspectors**

**21.** (1) The Minister may appoint such number of persons to be Inspectors as he may consider necessary for the purposes of this Act.

(2) When an Inspector has reasonable cause to believe that any offence under this Act has been or is being committed on any premises or in connection with any business carried on in any premises, he may, at all reasonable times, enter upon such premises and may search and examine such premises and may inspect, remove and detain any books, documents or other articles found therein which in the opinion of such Inspector may furnish evidence of the commission of an offence against this Act and may require any person conducting or managing any business of keeping, retailing, dispensing or compounding poisons, dangerous drugs or therapeutic substances to produce for his inspection any certificate issued to such person or to his employer under this Act.

(3) Any person who obstructs or impedes an Inspector in the performance of his duties under this Act shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred ringgit or to both.

### **Power to make regulations**

**22.** (1) The Board may make regulations for and in respect of all or any of the following matters:

- (a) the pupillage, the conditions under which the practical training of apprentices or students shall be conducted and any other matter relating to the training and qualification of pharmacists;
- (aa) the examination prescribed or set by the Board to be passed by any person before he is eligible to apply to be admitted to the register under this Act;
- (b) the procedure to be followed at meetings of, and at inquiries held by, the Board;
- (ba) the establishment of a Committee of Inquiry to inquire into complaints or information regarding any matter which the Board may, under the provisions of this Act, inquire into, and the procedures to be followed at inquiries held by the Committee;

- (c) the duties of the Registrar;
- (d) the form of the registers and the manner in which they shall be kept;
- (e) any matter which under this Act, is required or permitted to be prescribed;
- (f) the registration of bodies corporate;
- (g) the exemption from the operation of this Act or of any regulations made thereunder, of such persons or bodies corporate or classes of persons or bodies corporate as may seem expedient;
- (h) the appointment and payment of legal advisers;
- (i) the payment of expenses of members of the Board;
- (j) any matter, whether similar or not to those above mentioned, as to which it is expedient to make regulations for carrying into effect the objects of this Act.

(2) All regulations made by the Board under this section shall be subject to the approval of the Minister, and when so approved shall be published in the *Gazette* and shall, unless it is otherwise provided therein, take effect as from the date of such publication.

**23.** (*Omitted*).

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FIRST SCHEDULE

[Paragraph 6(1)(a)]

LIST OF REGISTRABLE QUALIFICATIONS

<i>Country in which qualification is granted</i>	<i>Name of Institution granting qualification</i>	<i>Description of qualification</i>
Malaysia	Universiti Sains Malaysia	Sarjana Muda Farmasi (Kepujian)
	Universiti Malaya	Sarjana Muda Farmasi (Kepujian)
	Universiti Kebangsaan Malaysia	Sarjana Muda Farmasi (Kepujian)
Saudi Arabia	University of Riyadh	Bachelor of Pharmacy
Australia	University of Adelaide	Bachelor of Pharmacy
	Monash University, Victorian College of Pharmacy	Bachelor of Pharmacy
	University of Sydney	Bachelor of Pharmacy
	University of Queensland	Bachelor of Pharmacy
	The University of South Australia	Bachelor of Pharmacy
	The University of Tasmania	Bachelor of Pharmacy
	Curtin University of Technology	Bachelor of Pharmacy
Canada	University of British Columbia	Bachelor of Science (Pharmacy)
	University of Alberta	Bachelor of Science (Pharmacy)
	Dalhousie University	Bachelor of Science (Pharmacy)
United Kingdom	University of Bath	Bachelor of Science (Pharmacy)

<i>Country in which qualification is granted</i>	<i>Name of Institution granting qualification</i>	<i>Description of qualification</i>
	University of Aston in Birmingham	Bachelor of Science (Pharmacy)
	University of Bradford	Bachelor of Pharmacy
	University of Brighton	Bachelor of Science (Pharmacy)
	University of Wales College of Cardiff	Bachelor of Pharmacy
	De Montfort University Leicester	Bachelor of Science (Pharmacy)
	Liverpool John Moores University	Bachelor of Science (Pharmacy)/Master of Pharmacy
	University of London	
	King's College of London	Bachelor of Pharmacy
	The School of Pharmacy	Bachelor of Pharmacy
	Chelsea College	Bachelor of Pharmacy
	University of Manchester	Bachelor of Science (Pharmacy)
	University of Nottingham	Bachelor of Pharmacy
	University of Portsmouth	Bachelor of Science (Pharmacy)
	University of Sunderland	Bachelor of Science (Pharmacy)
	University of Strathclyde	Bachelor of Science (Pharmacy)
	Robert Gordon's Institute of Technology, Aberdeen	Bachelor of Science (Pharmacy)
	Heriot-Watt University of Edinburgh	Bachelor of Science (Pharmacy)

<i>Country in which qualification is granted</i>	<i>Name of Institution granting qualification</i>	<i>Description of qualification</i>
	The Queen's University of Belfast, Northern Ireland	Bachelor of Science (Pharmacy)
Indonesia	Bandung Institute of Technology	Doctorandus Pharmaciae/Sarjana Farmasi
	Gadjah Mada University	Sarjana Sains Farmasi
	Airlangga Soerabaya University	Doctorandus Pharmaciae
Iraq	University of Baghdad	Bachelor of Science (Pharmacy)
Ireland	University of Dublin	Bachelor of Science (Pharmacy)
Japan	Kyoto University	Bachelor of Pharmaceutical Science
	Nagoya City University	Bachelor of Science (Pharmacy)
	Kumamoto University	Bachelor of Pharmaceutical Science
New Zealand	University of Otago	Bachelor of Pharmacy
Egypt	University of Cairo	Bachelor of Pharmaceutical Science
	University of Alexandria	Bachelor of Pharmaceutical Science
	University of Mansoura	Bachelor of Pharmaceutical Science
	University of Zagazig	Bachelor of Pharmaceutical Science
Singapore	National University of Singapore	Bachelor of Science (Pharmacy)
Turkey	University of Ankara	Bachelor of Pharmacy
	University of Hacettefe	Bachelor of Pharmacy

<i>Country in which qualification is granted</i>	<i>Name of Institution granting qualification</i>	<i>Description of qualification</i>
	University of Istanbul	Bachelor of Pharmacy
United States of America	University of Wisconsin	Bachelor of Science (Pharmacy)
	University of Iowa	Bachelor of Science (Pharmacy)
	University of Kansas	Bachelor of Science (Pharmacy)/Doctor of Pharmacy
	South Western Oklahoma State University	Bachelor of Science (Pharmacy)
	Ohio State University	Bachelor of Science (Pharmacy)
	Massachusetts College of Pharmacy and Allied Health Science	Bachelor of Science (Pharmacy)
	Northeast Louisiana University	Bachelor of Science (Pharmacy)
	Medical University of South Carolina	Bachelor of Science (Pharmacy)
	Idaho State University	Doctor of Pharmacy
	University of Toledo	Bachelor of Science (Pharmacy)
Butler University, Indiana	Bachelor of Pharmacy/ Doctor of Pharmacy	
University of North Carolina	Doctor of Pharmacy	

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SECOND SCHEDULE

[Subsection 6A(2)]

LIST OF PREMISES

1. Hospital Kangar, Perlis
2. Hospital Alor Setar, Kedah
3. Hospital Sungai Petani, Kedah
4. Hospital Kulim, Kedah
5. Hospital Pulau Pinang, Pulau Pinang
6. Hospital Bukit Mertajam, Pulau Pinang
7. Hospital Seberang Jaya, Pulau Pinang
8. Hospital Ipoh, Perak
9. Hospital Taiping, Perak
10. Hospital Teluk Intan, Perak
11. Hospital Seri Manjung, Perak
12. Hospital Slim River, Perak
13. Hospital Tengku Ampuan Rahimah, Klang, Selangor
14. Hospital Kajang, Selangor
15. Hospital Banting, Selangor
16. Hospital Tanjung Karang, Selangor
17. Hospital Kuala Kubu, Selangor
18. Hospital Sabak Bernam, Selangor
19. Hospital Sungai Buloh, Selangor
20. Hospital Seremban, Negeri Sembilan
21. Hospital Kuala Pilah, Negeri Sembilan
22. Hospital Melaka, Melaka
23. Hospital Sultanah Aminah, Johor Bahru, Johor

24. Hospital Muar, Johor
  25. Hospital Segamat, Johor
  26. Hospital Kluang, Johor
  27. Hospital Batu Pahat, Johor
  28. Hospital Kuantan, Pahang
  29. Hospital Mentakab, Pahang
  30. Hospital Kuala Terengganu, Terengganu
  31. Hospital Kota Bharu, Kelantan
  32. Hospital Queen Elizabeth, Kota Kinabalu, Sabah
  33. Hospital Sandakan, Sabah
  34. Hospital Tawau, Sabah
  35. Hospital Umum, Sarawak
  36. Hospital Sibul, Sarawak
  37. Hospital Miri, Sarawak
  38. Hospital Kuala Lumpur, Wilayah Persekutuan
  39. Hospital Putrajaya, Wilayah Persekutuan
  40. Hospital Selayang, Selangor
  41. Biro Pengawalan Farmaseutikal Kebangsaan, Petaling Jaya
  42. Hospital Kemaman, Terengganu
  43. Hospital Alor Gajah, Melaka
  44. Hospital Universiti Kebangsaan Malaysia, Kuala Lumpur
  45. Hospital Universiti Sains Malaysia, Kubang Kerian, Kelantan
  46. Hospital Universiti, Kuala Lumpur
  47. Institut Jantung Negara, Kuala Lumpur
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**LAWS OF MALAYSIA****Act 371****REGISTRATION OF PHARMACISTS ACT 1951**

## LIST OF AMENDMENTS

Amending law	Short title	In force from
Ord. 21/1954	Registration of Pharmacists (Amendment) Ordinance 1954	01-02-1952
Ord. 41/1955	Registration of Pharmacists (Amendment) Ordinance 1955	04-07-1955
L.N. 332/1958	Federal Constitution (Modification of Laws) (Ordinances and Proclamations) Order 1958	13-11-1958
Act A114	Registration of Pharmacists (Amendment) Act 1972	04-04-1972
Act A301	Registration of Pharmacists (Amendment) Act 1975	30-05-1975
Act A1005	Registration of Pharmacists (Amendment) Act 1997	31-08-1997
Act A1207	Registration of Pharmacists (Amendment) Act 2003	02-09-2004

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## LAWS OF MALAYSIA

### Act 371

## REGISTRATION OF PHARMACISTS ACT 1951

### LIST OF SECTIONS AMENDED

Section	Amending authority	In force from
2	L.N. 332/1958 Act A1207	13-11-1958 02-09-2004
3	Ord. 41/1955 L.N. 332/1958 Act A1005	04-07-1955 13-11-1958 31-08-1997
4	Ord. 41/1955 Act A1005	04-07-1955 31-08-1997
5	Act A1207	02-09-2004
6	Ord. 21/1954 Act A114 Act A301 Act A1207	01-02-1952 04-04-1972 30-05-1975 02-09-2004
6A	Act A301 Act A1207	30-05-1975 02-09-2004
6B	Act A1207	02-09-2004
8	Act A114 Act A1207	04-04-1972 02-09-2004
11	Act A114 Act A1207	04-04-1972 02-09-2004
11A-11F	Act A1207	02-09-2004
13	Act A1005	31-08-1997
14	Act A1005 Act A1207	31-08-1997 02-09-2004
17	Act A114 Act A1005	04-04-1972 31-08-1997
18A	Act A1005	31-08-1997

Section	Amending authority	In force from
19	L.N. 332/1958 Act A1005	13-11-1958 31-08-1997
21	L.N. 332/1958	13-11-1958
22	L.N. 332/1958 Act A301 Act A1005	13-11-1958 30-05-1957 31-08-1997
First Schedule	Act A1207	02-09-2004
Second Schedule	Act A1207	02-09-2004

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