

REPUBLIC OF SOUTH AFRICA

PHARMACY AMENDMENT BILL

(As introduced in the National Assembly as a section 76(1) Bill; explanatory summary of Bill published in Gazette No. 20520 of I October 1999) (The English text is the official text of the Bill)

(MINISTER OF HEALTH)

[B 51-99]

GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Pharmacy Act, 1974, so as to provide for the performance of community service by persons registering for the first time as pharmacists; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Insertion of section 14A in Act 53 of 1974

1. The following section is hereby inserted in the Pharmacy Act, 1974, after section 14:

"Community service

14A. (1) *Notwithstanding sections 13 and 14, any person registering for the first time as a pharmacist in terms of this Act, shall-*

(a) *perform remunerated pharmaceutical community service for a period of one year in terms of the regulations contemplated in subsection (2); and*

(a) *be entitled to registration to practice as a pharmacist on the completion of such service.*

(2) *The Minister may, after consultation with the council, make regulations regarding the performance of the pharmaceutical community service, including, but not limited to-*

(i) *the place at which it is to be performed;*

(ii) *the conditions of employment."*

Short title and commencement

2. This Act shall be called the Pharmacy Amendment Act, 1999, and shall come into operation on the same date that section 13 of the Pharmacy Amendment Act, 1997 (Act No. 88 of 1997), comes into operation.

MEMORANDUM ON THE OBJECTS OF THE PHARMACY AMENDMENT BILL, 1999

The Constitution guarantees everyone the right of access to health care

services. There is, however, an acute shortage of medical practitioners and pharmacists working for the State. During 1998 a system of community service was introduced for medical practitioners. The system is working well and the shortage of medical practitioners has since been reduced. The Bill seeks to introduce a similar system in respect of pharmacists.

CONSULTATION

The South African Pharmacy Council and all nine provinces were consulted.

FINANCIAL IMPLICATIONS, AND IMPLICATIONS FOR PROVINCES

Persons who will be performing pharmaceutical community service will be in the employ of the provincial departments responsible for health while performing such service and will be remunerated for their services by such departments. The departments are already making arrangements for the employment of these persons in the year 2001.

PARLIAMENTARY PROCEDURE

The State Law Advisers and the Department of Health are of the opinion that this Bill must be dealt with in accordance with the procedure prescribed by section 76(1) or (2) of the Constitution since it falls within a functional area listed in Schedule 4 to the Constitution, namely "Health services".