Republic of Namibia
Annotated Statutes
REGULATIONS

REGULATIONS MADE IN TERMS OF
Pharmacy Act 9 of 2004
section 72(2)

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
Government Notice 215 of 1978
(OG 3701)
came into force on date of publication: 3 February 1978

The 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South African Pharmacy Board shall be Conducted and the Manner in which the Accounts of the Board shall be Kept were originally made in terms of section 49(1)(b) and (c) of the Pharmacy Act 53 of 1974, which was repealed by the Pharmacy Act 9 of 2004. Pursuant to section 72(2) of the Pharmacy Act 9 of 2004, the 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, are deemed to have been made under that Act. The Government Notice that publishes these regulations notes they have been passed on the recommendation of the South African Pharmacy Board.

ARRANGEMENT OF REGULATIONS

[Most of the individual regulations have no headings.]

ELECTION OF OFFICE BEARERS

FUNCTIONS OF OFFICE BEARERS

MEETINGS

TERMS OF REFERENCE OF COMMITTEES

MINUTES
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.

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 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 chairman 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.
REGULATIONS
Pharmacy Act 9 of 2004
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

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 imprest 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.