

BOARD NOTICE 139 OF 2020

**THE SOUTH AFRICAN PHARMACY COUNCIL
RULES RELATING TO GOOD PHARMACY PRACTICE**

The South African Pharmacy Council intends to publish amendments to Annexure A of the *Rules relating to good pharmacy practice* which was published on 17 December 2004, Government Gazette No: 27112, Board Notice 129 of 2004, in terms of section 35A(b)(ii) of the Pharmacy Act, 53 of 1974.

Interested parties are invited to submit, within **60 days** of publication of this notice, substantiated comments on or representation regarding the amendments to the existing minimum standards and/or the additional minimum standards. Comments must be addressed to The Registrar, South African Pharmacy Council, Private Bag X40040, Arcadia, or fax (012) 326-1496 or email BN@sapc.za.org

SCHEDULE

Rules relating to what constitutes good pharmacy practice

1. In these rules "the Act" shall mean the Pharmacy Act, 53 of 1974, as amended, and any expression to which a meaning has been assigned in the Act shall bear such meaning.
2. The following rule to Annexure A of the *Rules relating to good pharmacy practice* is hereby amended –
 - (a) Rule 1.2.2 Minimum Standard for another business or practice in a pharmacy or a pharmacy in another business.



**TA MASANGO
REGISTRAR**

**ANOTHER BUSINESS OR PRACTICE IN A PHARMACY OR A PHARMACY IN
ANOTHER BUSINESS**

Rule 1.2.2 is hereby repealed and replaced as follows:

1.2.2 Another business or practice in a pharmacy or a pharmacy in another business

- (a) the owner and/or the responsible pharmacist of a pharmacy must obtain the approval of Council, prior to allowing a person who is not registered with Council, to conduct a separate business or practice in the pharmacy.
- (b) the following will be considered another business or practice in a pharmacy, if the:
 - (i) business or practice derives income or profit from members of the public for the activities, services or products provided;
 - (ii) transactions arising from the activities, services or products provided do not form part of the pharmacy records;
 - (iii) customer records held by the other business or practice are separate from the pharmacy records;
 - (iv) health professional or person providing services in the business or practice is not employed by the pharmacy;
 - (v) business or practice providing services in the pharmacy has its own title, branding and/or is traditionally known by the public as such; and
 - (vi) business or practice operating within the pharmacy is owned by a third party.

1.2.2.1 Another business in a pharmacy or practice in a pharmacy

The following will be applied by Council in considering applications for another business or practice in a pharmacy. The operation of another business or practice, within a pharmacy must be such that:

- (a) the other business or practice does not pose any conflicting interest either ethically or professionally to the practice of pharmacy such as:
 - (i) compromise the pharmacy as a health establishment;
 - (ii) add any security risk to the acquisition, keeping and supply of medicines;
 - (iii) add risk to the patients, particularly in terms of patient confidentiality and the right to privacy;
 - (iv) compromise the quality, safety, and efficacy of the medicine; and/or
 - (v) compromise the image of the pharmacy.
- (b) the activities of the other business or practice must not interfere or compromise the operations of the pharmacy;
- (c) the area of the business or practice must be clearly identified, permanent and visibly demarcated within the pharmacy;

- (d) the other business or practice shall not operate outside the operating hours of the pharmacy, if the other business or practice shares the same entrance as the pharmacy; and
- (e) the other business or practice may not sell products that are prohibited from being sold in a pharmacy, as per rule 2.29.

1.2.2.2 A pharmacy in another business

Where a pharmacy is situated within another business which is not a hospital or other health establishment –

- (a) The location of the pharmacy within another business shall take into consideration the:
 - (i) accessibility of pharmaceutical services;
 - (ii) security aspects relating to the acquisition, storing and supplying of medicines;
 - (iii) risk relating to patients, particularly in terms of patients' confidentiality and the rights to privacy;
 - (iv) quality, safety and efficacy of medicines is not compromised; and
 - (v) pharmacy as a health establishment is not compromised.
- (b) The pharmacy premises must be clearly identified, permanent and visibly demarcated from the premises of any other business;
- (c) For the purpose of protecting access to medicines and patient confidentiality, such areas (dispensary and where medicines and patient records are kept) must be secured and closed off; and
- (d) In order to comply with the requirement of accessibility to pharmaceutical services, a pharmacist must have 24-hour access to the pharmacy.