

Island of



Guernsey

Ordinance of the States **V**

1950

Made 5th April, 1950.
Coming into operation . . . 11th April, 1950.

The Penicillin and Allied Substances Ordinance, 1950.

THE STATES, on the representations of the States Board of Health, hereby order:—

1. There are hereby repealed—

(a) the Ordinance controlling the Acquisition and Sale of Penicillin, of the 6th day of July, 1946; and

(b) the Provisional Ordinance of 1947 amending the Ordinance controlling the acquisition and sale of Penicillin passed on the 6th day of July, 1946.

2. (1) Subject to the provisions of this section, no person shall sell or otherwise supply any of the substances referred to in the Schedule to this Ordinance unless—

- (a) he is a registered medical or dental practitioner or a registered veterinary surgeon, or a person acting in accordance with the directions of any such practitioner or surgeon, and the substance is sold or supplied for the purposes of treatment by or in accordance with the directions of that practitioner or surgeon; or
- (b) he is a registered pharmacist, and the substance is sold or supplied under the authority of a prescription signed and dated by any such practitioner or surgeon as aforesaid.

(2) No person shall administer by way of treatment any such substance unless he is such a practitioner or surgeon as aforesaid or is acting in accordance with the directions of such a practitioner or surgeon.

(3) Sub-section (1) of this section shall not apply to the sale or supply of any such substance—

- (a) by way of wholesale dealing;
- (b) for the purpose of being exported;
- (c) to any such practitioner or surgeon as aforesaid;
- (d) to any authority or person carrying on a hospital, clinic, nursing home or other institution providing medical, surgical, dental or veterinary treatment; or
- (e) to any department or authority of the States.

(4) A prescription signed by any such practitioner or surgeon authorising the sale or supply of any such substance shall not, subject as hereinafter provided, be dispensed on more than one occasion or more than three months after the date on which it was signed:

PROVIDED that, if the prescription expressly directs that it may be dispensed on a specified number of occasions or at specified intervals in

a specified period, it may be dispensed in accordance with that direction.

3. (1) Any person who contravenes any provision of section 2 of this Ordinance shall on conviction be liable to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

(2) Where an offence under this Ordinance has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

4. In this Ordinance the following expressions have the meanings hereby respectively assigned to them, that is to say—

“registered dental practitioner” means a person registered in the dentists register under the Dentists Acts, 1878 to 1923, or under any Act from time to time substituted for or amending those Acts or any of them;

“registered medical practitioner” means a person registered under the Medical Act, 1858, or under any Act from time to time substituted for or amending that Act;

“registered pharmacist” means a person authorised to practise as a pharmacist in this Island or in the Island of Alderney;

“registered veterinary surgeon” means a veterinary surgeon registered in pursuance of the Veterinary Surgeons Act, 1881 either

in the register of veterinary surgeons or in the register of existing practitioners, or a person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948, or under any Act from time to time substituted for or amending those Acts or either of them;

“sale by way of wholesale dealing” means sale to a person who buys for the purpose of selling again.

5. This Ordinance shall apply to the Islands of Alderney, Herm and Jethou.

6. This Ordinance shall come into force on the 11th day of April, 1950.

SCHEDULE.

Penicillin.

Streptomycin.

Chloromycetin.

Aureomycin.

Any preparation containing any of the above-named substances.

JAMES E. LE PAGE,
H.M. Greffier.