

Chapter 20

AN ACT TO AMEND THE PHARMACY ACT

(Assented to December 5, 2006)

The Commissioner of Nunavut, by and with the advice and consent of the Legislative Assembly, enacts as follows:

1. **The *Pharmacy Act* is amended by this Act.**
2. **Each provision listed in Column 1 of the Schedule is amended by striking out the word or words set out in the same row of Column 2 of the Schedule, wherever they appear, and substituting the word or words set out in the same row of Column 3 of the Schedule.**

3. **Section 1 is amended by**
 - (a) **repealing the definition "narcotic" and substituting the following:**

"narcotic" means a narcotic as defined in the *Narcotic Control Regulations* made under the *Controlled Drugs and Substances Act* (Canada);

- (b) **adding the following definition in alphabetical order:**

"nurse practitioner" means a nurse practitioner under the *Nursing Profession Act* (Northwest Territories);

4. **(1) That portion of section 2 preceding paragraph (a) is amended by striking out "Nothing in this Act" and substituting "Nothing in this Act or the regulations".**

- (2) The following is added after paragraph 2(a):**

- (a.1) a nurse practitioner from exercising a privilege conferred by the *Nursing Act* or the *Nursing Profession Act* (Northwest Territories) relating to the practice of a nurse practitioner in Nunavut;

5. **Paragraph 4(1)(a) and subsection 4(5) are repealed.**
6. **Sections 13 to 21 are repealed.**
7. **Paragraph 22(1)(a) is amended by striking out "contravention of this Act" and substituting "contravention of this Act or the regulations".**
8. **Paragraph 23(1)(a) is repealed and the following is substituted:**
 - (a) a contravention of this Act or the regulations, or

9. (1) Subsection 24(2) is repealed and the following is substituted:

(2) Every person who contravenes this Act or the regulations is guilty of an offence and liable on summary conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding six months or to both.

(2) Subsection 24(3) is amended by

- (a) striking out "this Act" wherever it appears and substituting "this Act or the regulations"; and**
- (b) striking out "Schedule C" and substituting "the regulations".**

10. Section 25 is amended by striking out "this Act" and substituting "this Act or the regulations".

11. (1) Section 26 is renumbered as subsection 26(1).

(2) Subsection 26(1) is amended by striking out "this Act" and substituting "this Act or the regulations".

(3) The following is added after subsection 26(1):

Proof of facts in document

(2) A certificate or licence respecting a matter dealt with by this Act that purports to be issued by the Registrar is admissible in evidence without proof of the office or signature of the Registrar and is, in the absence of evidence to the contrary, proof of the facts set out in it.

Certified copies

(3) A copy of a certificate or licence respecting a matter dealt with by this Act that purports to be certified by the Registrar is admissible in evidence without proof of the office or signature of the Registrar and is, in the absence of evidence to the contrary, proof of the original document.

12. (1) The English version of paragraph 27(b) is amended by striking out "and".

(2) The following is added after paragraph 27(b):

- (b.1) establishing drug schedules listing drugs or substances that are subject to conditions or restrictions respecting their storage, supply and labeling;**
- (b.2) respecting the conditions or restrictions that apply to the storage, supply and labeling of a substance included in a drug schedule; and**

13. The following is added after section 27:

Adoption of drug schedule, formulary, publication

28. (1) Where a drug schedule referred to in paragraph 27(b.1) is established, or a condition or restriction referred to in paragraph 27(b.2) is set out in a formulary or publication, by a government in Canada or by a scientific or professional association, person or body of persons in Canada, and is available to the public in an electronic or printed form, the Commissioner, on the recommendation of the Minister, may adopt the drug schedule, formulary or publication by regulation, and on adoption the drug schedule, formulary or publication is in force in Nunavut either in whole or in part or with such variations as may be specified in the regulation.

Drug schedule, formulary, publication as amended

(2) A regulation made under subsection (1) may adopt a drug schedule, formulary or publication as amended from time to time.

14. Schedules A to D are repealed.

15. Paragraph 3(b), section 4 and sections 6 to 14 come into force on a day or days to be fixed by order of the Commissioner.

SCHEDULE

Column 1 Provisions Amended	Column 2 Word or Words Struck Out	Column 3 Word or Words Substituted
<ul style="list-style-type: none">• paragraph 2(a)• subsection 10(2)• section 12• paragraph 22(2)(a)	"the Territories"	"Nunavut"
<ul style="list-style-type: none">• subparagraph 4(1)(b)(i)	"the Yukon Territory"	"another territory"
<ul style="list-style-type: none">• subparagraph 4(1)(b)(ii)	"the Yukon Territory"	"territory"