

PHARMACY (AMENDMENT) BILL, 2023

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PHARMACY (AMENDMENT) BILL, 2023

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND LICENSING OF CANNABIS DISPENSARIES

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act may be cited as the Pharmacy (Amendment) Bill, 2023.
- (2) This Act shall come into force on such date as may be appointed by the Minister by notice published in the *Gazette*.

2. Amendment of section 2 of the principal Act.

Section 2 of the principal Act is amended —

- (a) by the insertion of the following new term and accompanying definition —
““**cannabis dispensary**” means a pharmacy which only dispenses medical cannabis under a retail licence issued in accordance with the Cannabis Act, 2023;”;
- (b) in paragraph (b) of the definition of “pharmacy”, by the insertion immediately after the words “nuclear pharmacy,” of the words “a cannabis dispensary”.

3. Amendment of section 7 of the principal Act.

Section 7 of the principal Act is amended —

- (a) by the insertion immediately after subsection (1) of the following new subsection —
“(1A) No person shall, unless he is registered as a cannabis dispenser under the Health Professions Act (*Ch. 233*) make use of the title of “cannabis dispenser”;

- (b) in subsection (2), by the insertion immediately after the word “pharmacy”, of the words “cannabis dispensary”.

4. Amendment of section 30 of the principal Act.

Section 30 of the principal Act is amended by the deletion and substitution of subsection (5) as follows —

- “(5) For the purposes of subsection (3), “in writing” —
- (a) includes an —
 - (i) electronically transmitted prescription by facsimile or an intranet computerized physician order entry; or
 - (ii) electronic prescription entered into the database kept in accordance with the Cannabis Act, 2023;
 - (b) does not include an electronically transmitted prescription via the internet.”.

5. Amendment of section 38 of the principal Act.

Section 38 of the principal Act is amended in subsection (1)(b) by the insertion immediately after the words “Dangerous Drugs Act”, of the words, “and the Cannabis Act, 2023”.

OBJECTS AND REASONS

The Pharmacy (Amendment) Bill, 2023 forms apart of the compendium of legislation which aims to establish a framework for the control and regulation of cannabis. Specifically, this Bill seeks to provide for the establishment of a type of pharmacy to be known as a “cannabis dispensary”.

Clause 2 of the Bill seeks to introduce the new term and definition of “cannabis dispensary” and to amend the definition of “pharmacy” to include a “cannabis dispensary”.

Clause 3 of the Bill seeks to amend section 7 of the Act to provide that only persons registered as “cannabis dispenser” under the Health Professions Act (Ch. 233) shall be permitted to use the title “cannabis dispense”.

Clause 4 of the Bill seeks to amend section 30(5) of the Act to ensure that a prescription made in writing includes an electronic prescription entered into the database kept pursuant to the Cannabis Bill, 2023.

Clause 5 of the Bill seeks to amend section 38 to require that pharmacists keep a log book of transactions relating to cannabis handled pursuant to the Cannabis Bill, 2023.