

LIABILITY OF PHARMACISTS IN MALAYSIA

By

Intan Sharina bt Nasri (2004614697)

Azimah Nor bt Idris (2004614585)

Dg. Roslina bt Datu Mohamad (2004614619)

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Thank you.

ABSTRACT

Study on the liability of pharmacists in Malaysia according to the statistic in 2004, there are 4613 registered pharmacists. Problem arise is that pharmacists are now selling medication without prescription and the offences are increasing from years to years.

This project paper will be looking at the various legislations to pharmacists such as Poison Act 1952, Registration of Pharmacists Act 1951, Dangerous Drugs Act 1952, Sale s of Drugs Act 1952, Control of Drugs and Cosmetics Regulation 1984 and etc. this act is used because to looks at the regulations relating to duties, liabilities and offences if they breach their duties.

However, all this Acts regulated since the year of 1951. Therefore, the amendment with regard to certain provisions needs to be made to fit it with the recent situation. The certain sections should be repeal such as to increase the amount of penalties, to conduct a training to improve and exposed them with the information, knowledge and skills needed. There are some provision must be add in relating to their Code of Conduct in the Act.

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CHAPTER ONE

INTRODUCTION

1.0 BACKGROUND

Health Minister Datuk Dr Chua Soi Lek had acknowledged the weakness enforcement by his ministry in observation of unregistered sales of medicines or given to patients without prescription from the accredited medical practitioners. Further, he said, his ministry hopes the public will concern not to buy medicines from any premises without think about it risks. The Minister gives his speech in Seremban after ceremony to rename the 38 old Seremban Hospitals.

Besides that, he added that pharmacists and pharmacies would be black listed if they are found to be selling drugs, especially those listed under Schedule B, without a doctor prescription. The Minister also said it was not enough for them to say that the sale was made by their sales assistant. The licence of the pharmacy would be revoked and it not would be allowed to employ another pharmacist. The pharmacists should be responsible as it occurred in their premises.

He was commenting on the case of a 25-year-old clerk who was hospitalised for two months after taking antibiotic that her boyfriend bought for her from a coffee shop in Bukit Mertajam, Penang.

Further, it cannot be denied that many pharmacies are doing this sort of thing of late treatment. He acknowledged that it is difficult to control such irresponsible practice. It