

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

2ND SESSION, 41ST LEGISLATURE, ONTARIO
66 ELIZABETH II, 2017

Bill 126

An Act to amend the Drug and Pharmacies Regulation Act

Mr. M. Harris

Private Member's Bill

1st Reading April 27, 2017

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill amends the *Drug and Pharmacies Regulation Act* to prohibit a person from possessing or using designated pharmaceutical equipment unless the person is a pharmacist or a person acting under the supervision of a pharmacist and, if the person uses the equipment, is using the equipment in a pharmacy for which a certificate of accreditation has been issued. Designated pharmaceutical equipment is defined as a pill or tablet press, a tablet machine, a capsule filling machine, a pharmaceutical mixer or a tablet punch or die, subject to the qualifications, if any, that are specified by the regulations made under the Act, and any other equipment that is specified by the regulations.

An Act to amend the Drug and Pharmacies Regulation Act

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 Subsection 1 (1) of the *Drug and Pharmacies Regulation Act* is amended by adding the following definition:

“designated pharmaceutical equipment” means a pill or tablet press, a tablet machine, a capsule filling machine, a pharmaceutical mixer or a tablet punch or die, subject to the qualifications, if any, that are specified by the regulations, and any other equipment that is specified by the regulations; (“matériel pharmaceutique désigné”)

2 The Act is amended by adding the following section:

Designated pharmaceutical equipment

144.1 (1) No person shall possess designated pharmaceutical equipment unless the person is a pharmacist or a person acting under the supervision of a pharmacist.

Same, use

(2) No person shall use designated pharmaceutical equipment unless,

- (a) the person is a pharmacist or a person acting under the supervision of a pharmacist; and
- (b) the person uses the equipment in a pharmacy for which a certificate of accreditation has been issued under section 139.

Exemption

(3) A person is exempt from subsections (1) and (2) if the person is,

- (a) a person authorized to manufacture or compound drugs under an Act of Ontario or Canada; or
- (b) a person who is designated by the regulations as so exempt.

3 Subsection 161 (1) of the Act is amended by adding the following clauses:

(a.1) specifying anything described in the definition of “designated pharmaceutical equipment” in subsection 1 (1) as specified by the regulations;

.

(v) designating persons for the purpose of clause 144.1 (3) (b).

4 The Act is amended by adding the following section:

Offence under s. 144.1

165.1 (1) Every person who is convicted of contravening section 144.1 is liable to,

- (a) in the case of a first offence, a fine not exceeding \$200,000 or, if the person is an individual, imprisonment for a term of not more than six months, or both;
- (b) in the case of a second offence, a fine not exceeding \$350,000 or, if the person is an individual, imprisonment for a term of not more than one year, or both; or
- (c) in the case of a third or subsequent offence, a fine not exceeding \$500,000 or, if the person is an individual, imprisonment for a term of not more than two years, or both.

Limitation

(2) No prosecution for an offence under section 144.1 shall be commenced after two years after the day on which the subject matter of the proceedings became known to the Council.

Commencement

5 This Act comes into force on the day it receives Royal Assent.

Short title

6 The short title of this Act is the *Illegal Pill Press Act, 2017*.