

**EC2005-263**

EXECUTIVE COUNCIL ACT  
MINISTER OF DEVELOPMENT AND TECHNOLOGY  
MINISTER OF AGRICULTURE, FISHERIES AND AQUACULTURE  
AUTHORITY TO ENTER INTO A  
MEMORANDUM OF AGREEMENT  
WITH  
MAPLE LEAF FOODS INC.  
GARDEN PROVINCE MEATS INC.  
AND THE  
PRINCE EDWARD ISLAND  
HOG COMMODITY MARKETING BOARD

Pursuant to clause 10(d) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Development and Technology and the Minister of Agriculture, Fisheries and Aquaculture to enter into a Memorandum of Agreement with Maple Leaf Foods Inc., Garden Province Meats Inc., and the Prince Edward Island Hog Commodity Marketing Board to set out terms and conditions of certain financial assistance to the Garden Province Meats Plant and the hog industry in Prince Edward Island, such as more particularly described in the draft agreement.

**EC2005-264**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
WILLIAM CROLLEY  
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to William Crolley of Jasper, Georgia to acquire an interest in a land holding of approximately seventeen (17) acres of land in Lots 39 and 40, Kings County, Province of Prince Edward Island, being acquired from P. Shane Kelly of Morell, Prince Edward Island.

**EC2005-265**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 ELIZABETH W. DOUDOUMOPOULOS, ALEXANDER  
 DOUDOUMOPOULOS (TRUSTEE), NICHOLAS DOUDOUMOPOULOS,  
 JOHN S. CLAPP, JR. (TRUSTEE), SARAH D. BEECHLER,  
 ELIZABETH W. LANE, WARREN WILKINSON,  
 THOMAS WILKINSON AND JOHN WILKINSON  
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Elizabeth W. Doudoumopoulos and Alexander Doudoumopoulos (Trustee), both of Chevy Chase, Maryland; Nicholas Doudoumopoulos of Garrett Park, Maryland; John S. Clapp, Jr. (Trustee) of Wellesley, Massachusetts; Sarah D. Beechler of Keedysville, Maryland; Elizabeth W. Lane of Eliot, Maine; Warren Wilkinson of Vero Beach, Florida; Thomas Wilkinson of Hudson, Massachusetts; and John Wilkinson of Millis, Massachusetts to acquire an interest in a land holding of approximately fifty (50) acres of land in Lot 36, Queens County, Province of Prince Edward Island, being acquired from 100147 P.E.I. Inc. of Charlottetown, Prince Edward Island.

**EC2005-266**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 ELIZABETH W. DOUDOUMOPOULOS, ALEXANDER  
 DOUDOUMOPOULOS (TRUSTEE), NICHOLAS DOUDOUMOPOULOS,  
 JOHN S. CLAPP, JR. (TRUSTEE), SARAH D. BEECHLER,  
 ELIZABETH W. LANE, WARREN WILKINSON,  
 THOMAS WILKINSON AND JOHN WILKINSON  
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Elizabeth W. Doudoumopoulos and Alexander Doudoumopoulos (Trustee), both of Chevy Chase, Maryland; Nicholas Doudoumopoulos of Garrett Park, Maryland; John S. Clapp, Jr. (Trustee) of Wellesley, Massachusetts; Sarah D. Beechler of Keedysville, Maryland; Elizabeth W. Lane of Eliot, Maine; Warren Wilkinson of Vero Beach, Florida; Thomas Wilkinson of Hudson, Massachusetts; and John Wilkinson of Millis, Massachusetts to acquire an interest in a land holding of approximately one hundred and twenty-six decimal seven four (126.74) acres of land in Lots 36 and 37, Queens County, Province of Prince Edward Island, being acquired from Horace B. Carver, Q.C., Trustee of Charlottetown, Prince Edward Island.

**EC2005-267**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ALAN HALE  
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Alan Hale of Coldwater, Ontario to acquire a land holding of approximately ninety-eight decimal one three (98.13) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from Spriet Holdings Ltd. of Valleyfield, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 260273, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2005-268**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ALLAN MITCHELL AND SARAH LYNN MITCHELL  
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Allan Mitchell and Sarah Lynn Mitchell, both of Brantford, Ontario to acquire a land holding of approximately thirty-seven (37) acres of land in Lot 53, Kings County, Province of Prince Edward Island, being acquired from David Sibbick and Tanya Sibbick, both of Cardigan North, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 164665, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2005-269**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BRIAN MCMASTER AND LORNA MCMASTER  
(APPROVAL)

Pursuant to section 4 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Brian McMaster and Lorna McMaster, both of Spofford, New Hampshire to acquire a land holding of approximately twenty (20) acres of land in Lot 63, Kings County, Province of Prince Edward Island, being acquired from the Estate of Melbourne Llewellyn of Montague, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2005-270**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
DAVID F. SOBEY AND DONALD R. SOBEY  
(APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to David F. Sobey and Donald R. Sobey, both of Stellarton, Nova Scotia to acquire an interest in a land holding of approximately one decimal two seven (1.27) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from the City of Summerside, Prince Edward Island.

**EC2005-271**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
CECILIA MCPARLAND AND ROBERT HAJEK  
(DENIAL)

Council, having under consideration an application (#N4372) for acquisition of a land holding under authority of section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap L-5, denied permission to Cecilia McParland and Robert Hajek, both of Toronto, Ontario to acquire a land holding of approximately one decimal six five (1.65) acres of land in Lot 13, Prince County, currently owned by Brian John Boshell of Stony Brook, New York.

**EC2005-272**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ALIANTELECOM INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Aliant Telecom Inc. of Charlottetown, Prince Edward Island to acquire, by lease, a land holding of approximately zero decimal zero two (0.02) acres of land in Charlottetown, Queens County, Province of Prince Edward Island, being acquired from James W. Gallant of Charlottetown, Prince Edward Island.

**EC2005-273**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
AMALGAMATED DAIRIES LIMITED  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Amalgamated Dairies Limited of Summerside, Prince Edward Island to acquire a land holding of approximately two decimal seven four one (2.741) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from Prince Edward Island Business Development Inc. of Charlottetown, Prince Edward Island.

**EC2005-274**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
BARTOW BUSINESS PARTNERS LLC  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Bartow Business Partners LLC of Jasper, Georgia to acquire a land holding of approximately seventeen (17) acres of land in Lots 39 and 40, Kings County, Province of Prince Edward Island, being acquired from P. Shane Kelly of Morell, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2005-275**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
CAMERON FARMS LTD.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Cameron Farms Ltd. of Hampton, Prince Edward Island to acquire a land holding of approximately one hundred and seventy-one decimal one three (171.13) acres of land in Lots 29 and 30, Queens County, Province of Prince Edward Island, being acquired from Cameron Farms of Hampton, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2005-276**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
CROMBIE DEVELOPMENTS LIMITED  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Crombie Developments Limited of Stellarton, Nova Scotia to acquire a land holding of approximately one decimal two seven (1.27) acres of land in Lot 17, Prince County, Province of Prince Edward Island, being acquired from the City of Summerside, Prince Edward Island.

**EC2005-277**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ELWIN JAY HOLDINGS (1994) INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Elwin Jay Holdings (1994) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately eighteen decimal six eight (18.68) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Elwin G. Jay of Charlottetown, Prince Edward Island.

**EC2005-278**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
ELWIN JAY HOLDINGS (1994) INC.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Elwin Jay Holdings (1994) Inc. of Charlottetown, Prince Edward Island to acquire a land holding of approximately one decimal seven (1.7) acres of land at Charlottetown, Queens County, Province of Prince Edward Island, being acquired from Joan Wood of Bunbury, Prince Edward Island.

**EC2005-279**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 G & P TRUCKING & CONSTRUCTION LTD.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to G & P Trucking & Construction Ltd. of St. Peters Bay, Prince Edward Island to acquire a land holding of approximately forty-two (42) acres of land in Lot 41, Kings County, Province of Prince Edward Island, being acquired from Gerald MacKinnon and Joanne MacKinnon, both of St. Peters, Prince Edward Island SUBJECT TO the condition that the said real property not be subdivided. The condition preventing subdivision shall be binding on the said G & P Trucking & Construction Ltd. and on all successors in title.

**EC2005-280**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 JASPER WYMAN AND SON CANADA INC.  
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jasper Wyman and Son Canada Inc. of Canavoy, Prince Edward Island to acquire a land holding of approximately one hundred and twenty-six decimal seven four (126.74) acres of land in Lots 36 and 37, Queens County, Province of Prince Edward Island, being acquired from Horace B. Carver, Q.C., Trustee of Charlottetown, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2005-281**

PRINCE EDWARD ISLAND  
 LANDS PROTECTION ACT  
 PETITION TO ACQUIRE A LAND HOLDING  
 JASPER WYMAN AND SON CANADA INC.  
 (APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Jasper Wyman and Son Canada Inc. of Canavoy, Prince Edward Island to acquire a land holding of approximately fifty (50) acres of land in Lot 36, Queens County, Province of Prince Edward Island, being acquired from 100147 P.E.I. Inc. of Charlottetown, Prince Edward Island.

Further, Council noted that the said land holding, being Provincial Property No. 864306, was previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

**EC2005-282**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
NATURE CONSERVANCY OF CANADA (PEI) INC.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to the Nature Conservancy of Canada (PEI) Inc. of Stratford, Prince Edward Island to acquire a land holding of approximately sixty decimal eight one (60.81) acres of land in Lot 39, Kings County, Province of Prince Edward Island, being acquired from Gordon Anderson of St. Peters, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.

**EC2005-283**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
NORJOHN HOLDINGS LTD.  
(APPROVAL)

Pursuant to section 5 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to Norjohn Holdings Ltd. of Stratford, Prince Edward Island to acquire a land holding of approximately sixty-six decimal six eight (66.68) acres of land in Lot 48, Queens County, Province of Prince Edward Island, being acquired from L. John Reddin and Norma Reddin, both of Stratford, Prince Edward Island.

**EC2005-284**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PETITION TO ACQUIRE A LAND HOLDING  
PV HOLDINGS LTD.  
(APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to PV Holdings Ltd. of Oyster Bed Bridge, Prince Edward Island to acquire a land holding of approximately fifty-three (53) acres of land in Lot 24, Queens County, Province of Prince Edward Island, being acquired from David Axworthy and Nadine Axworthy, both of Oyster Bed Bridge, Prince Edward Island PROVIDED THAT the said real property is identified for non-development use pursuant to the Land Identification Regulations (EC606/95) made under the said Act.



**EC2005-285**

PRINCE EDWARD ISLAND  
LANDS PROTECTION ACT  
PROPERTY NO. 720250, LOT 49, QUEENS COUNTY  
IDENTIFICATION FOR NON-DEVELOPMENT USE  
AMENDMENT

Pursuant to subsection 9(2) of the Prince Edward Island Lands Protection Act R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately thirty-five (35) acres of land, being Provincial Property No. 720250 located in Lot 49, Queens County, Prince Edward Island and currently owned by the Estate of Ronald W. Smith, c/o F. Ian Smith of Charlottetown, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately zero decimal three one (0.31) acres SUBJECT TO the subdivided parcel being consolidated with the adjacent Provincial Property No. 426296. Further, Council determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on 24 May 2005.

**EC2005-286**

PHARMACY ACT  
AUTHORIZATION REGULATIONS  
AMENDMENT

Pursuant to section 8 of the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6, Council approved the following regulations made by the Prince Edward Island Pharmacy Board after consultation with the Council of the Prince Edward Island Pharmaceutical Association, and after the consultation required by clause 7(2)(f) of the Act:

**1. Section 1 of the *Pharmacy Act* Authorization Regulations (EC575/92) is revoked and the following substituted:**

- |   |                            |
|---|----------------------------|
| 1. (1) In these regulations   | Definitions                |
| (a) "Act" means the <i>Pharmacy Act</i> R.S.P.E.I. 1988, Cap. P-6;  | Act                        |
| (b) "locked dispensary approval" means the approval endorsed on a permit under section 23;  | locked dispensary approval |
| (c) "MRA" means the Mutual Recognition Agreement for the Profession of Pharmacy in Canada, dated April 9, 2000, as amended from time to time; | MRA                        |
| (d) "PPRA" means a Provincial Pharmacy Regulatory Authority from another jurisdiction;  | PPRA                       |
| (e) "refresher program" means a refresher program approved by the Board under subsection (2);   | refresher program          |
| (f) "Registrar" means the Registrar appointed pursuant to subsection 6(6) of the Act;   | Registrar                  |
| (g) "Standards Regulations" means the Standards Regulations made under the Act;   | Standards Regulations      |
| (h) "university program" means an accredited university program approved by the Board under subsection (2).                                   | university program         |

- (2) The Board may approve Board approvals
- (a) a continuing education program in the practice of pharmacy;
  - (b) an accredited university program for pharmacy training;
  - (c) a licensing examination program;
  - (d) testing of English as a second language; and
  - (e) an examination to test professional competency.

**2. Section 2 of the regulations is amended**

**(a) by renumbering it as subsection 2(1); and**

**(b) by the addition of the following:**

- (2) An applicant who is a licensed or registered pharmacist in a jurisdiction of a signatory PPRA to the MRA shall be issued a license by the Board, if the applicant Licensed, registered in other jurisdiction
- (a) demonstrates, by successfully completing an examination given under section 31, knowledge of the laws directly applicable to the practice of pharmacy in the province;
  - (b) provides written verification of good standing in professional associations from all jurisdictions in which the applicant is currently licensed and a declaration of all jurisdictions in which the applicant was ever licensed;
  - (c) whose first language is not English demonstrates proficiency in English consistent with a level of testing approved by the Board; and
  - (d) pays the required fees.

**3. Sections 3, 4, 5 and 6 of the regulations are revoked and the following substituted:**

**3.** The professional education requirements of clause 9(1)(a) of the Act shall be met by the successful completion of an approved university program. Professional education requirements

**4.** Subject to the approval of the Board, knowledge of the standards of practice required by clause 9(1)(d) of the Act shall be demonstrated as set out in the NAPRA publication, Framework for Assessing Canadian Pharmacists at Entry-to-Practice Through Structured Practical Training Programs, as amended from time to time. Standards of practice requirements

**5.(1)** Subject to subsection (2), the professional competency requirements of clause 9(1)(c) of the Act shall be demonstrated by the successful completion of an approved licensing examination. Professional competency requirements

(2) Subsection (1) does not apply to an applicant who was registered or licensed as a pharmacist before July 1, 2001 in a jurisdiction of a signatory PPRA to the MRA. Exception

**4. The regulations are amended by the addition of the following after section 7:**

**7.1** The good standing requirements of clauses 9(1)(f) and 10(1)(e) of the Act shall be met by compliance with clauses 2(2)(b). Good standing requirements

**5. Section 8 of the regulations is amended**

**(a) by renumbering it as subsection 8(1); and**

**(b) by the addition of the following:**

- (2) A person who is registered as a certified clerk or certified dispenser in another province or territory may apply to the Registrar to be registered as a certified pharmaceutical clerk in the province by Clerks, dispensers registered elsewhere
- (a) providing evidence satisfactory to the Registrar of good standing with the appropriate licensing body in the other province;
  - (b) complying with Board requirements for certified pharmaceutical clerks;
  - (c) providing evidence that the applicant has attained the required competencies in the province of origin in the year preceding the transfer; and

(d) successfully completing an examination given under section 31 on the laws directly applicable to the practice of pharmacy in the province.

**6. Sections 9 and 10 of the regulations are revoked and the following substituted:**

**9.** The professional competency requirements of clause 10(1)(b) of the Act shall be met by the successful completion of an examination approved by the Board. Professional competency requirements

**10.** The professional competency requirements of clause 10(1)(c) of the Act shall be met by compliance with clause 2(2)(a). Idem

**7. Section 14 of the regulations is amended**

**(a) under the heading CLASS III - HOSPITAL, by adding the word "Hillsborough," after the words "Stewart Memorial,"; and**

**(b) under the heading CLASS IV - NURSING HOME, by deleting the words "; Hillsborough Hospital and Special Care Centre".**

**8. Section 15 of the regulations is amended by the deletion of the words "lock-and-leave approval" in clauses (f) and (g) and the substitution of the words "locked dispensary approval".**

**9. Section 23 of the regulations is amended by the deletion of the words "lock-and-leave approval" and the substitution of the words "locked dispensary approval".**

**10. Clause 24(a) of the regulations is revoked and the following substituted:**

(a) has been convicted of professional misconduct, negligence or incompetence by a PPRA or other professional regulatory body; or

**11. Subsections 29(3) and (4) are revoked.**

**12. Subsection 31(1) of the regulations is revoked and the following substituted:**

**31.** (1) Where an examination administered by the Board is necessary, the Board shall appoint an Examination Committee to set the examination and assess the candidate's performance on it. Examination Committee

**13. Section 36 of the regulations is revoked.**

**14. These regulations are deemed to have come into force on May 1, 2005.**

### EXPLANATORY NOTES

**SECTION 1** replaces the current definitions and adds new ones.

**SECTION 2** adds provisions respecting the issuing of a license to an applicant licensed or registered in another jurisdiction of a PPRA which is signatory to the MRA.

**SECTION 3** updates provisions respecting professional education, standards of practice and competency requirements under the Act.

**SECTION 4** updates the good standing requirements.

**SECTION 5** updates requirements respecting the registration of certified clerks and dispensers who are already registered in another province or territory.

**SECTION 6** updates professional and professional competency requirements.

**SECTION 7** adds Hillsborough Hospital to Class III - Hospital pharmacies and deletes it from Class IV - Nursing Home pharmacies.

**SECTIONS 8 and 9** change the phrase “lock-and-leave approval” to “locked dispensary approval”.

**SECTION 10** updates provisions respecting professional misconduct, negligence and incompetence.

**SECTION 11** revokes provisions that no longer apply.

**SECTION 12** clarifies the examination procedure.

**SECTION 13** revokes the fees section.

**SECTION 14** provides for the commencement of these regulations.

#### EC2005-287

### PHARMACY ACT DRUG SCHEDULE REGULATIONS

Pursuant to section 8 of the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6, Council approved the following regulations made by the Prince Edward Island Pharmacy Board after consultation with the Council of the Prince Edward Island Pharmaceutical Association, and after the consultation required by clause 7(2)(f) of the Act:

- |   |                                     |
|---|-------------------------------------|
| <b>1.</b> In these regulations  | Definitions                         |
| (a) “Class I pharmacy” means a pharmacy that is operated under a Class I - Community Pharmacy permit issued under section 14 of the <i>Pharmacy Act</i> Authorization Regulations;                                  | Class I pharmacy                    |
| (b) “consumer” means a person who purchases or is considering purchasing a Schedule I, II or III drug;  | consumer                            |
| (c) “prescriber” means  | prescriber                          |
| (i) a person authorized by the law of any province or territory to practise as a physician, dentist or veterinarian, or   |                                     |
| (ii) a person authorized by the Minister to prescribe any drug under section 14.1 of the Act.   |                                     |
| <b>2.</b> (1) Subject to subsection (2), these regulations apply to the sale of any Schedule I, II or III drug.   | Application                         |
| (2) These regulations do not apply to the sale or supply of any Schedule I, II or III drug  | Non-application                     |
| (a) by a prescriber; or   |                                     |
| (b) by any other person, if the drug is sold or supplied  |                                     |
| (i) to another person for veterinary use, or  |                                     |
| (ii) to a pharmacist or a prescriber.   |                                     |
| (3) Subject to subsection (2), no person shall sell or supply, or offer to sell or supply, any Schedule I drug to another person unless the person selling or supplying such drug is a pharmacist.                  | Restriction –<br>Schedule I drugs   |
| (4) Subject to subsection (2), no person shall sell or supply, or offer to sell or supply, any Schedule II drug to another person unless the person selling or supplying, or offering to sell or supply, such drug  | Restriction –<br>Schedule II drugs  |
| (a) is a pharmacist; or   |                                     |
| (b) is acting under the supervision of a pharmacist.  |                                     |
| (5) Subject to subsection (2), no person shall sell or supply, or offer to sell or supply, any Schedule III drug to another person unless the person selling or supplying, or offering to sell or supply, such drug | Restriction –<br>Schedule III drugs |
| (a) is a pharmacist; or   |                                     |
| (b) does so   |                                     |
| (i) in the course of his or her duties at a pharmacy, and   |                                     |

(ii) at a time when a pharmacist is available at the pharmacy to provide counselling and information about the drug.

3. (1) No pharmacist shall dispense any Schedule I drug without a prescription. Schedule I drugs –  
prescription  
required

(2) The pharmacist in charge of the management of a pharmacy shall ensure that Schedule I drugs are kept in a manner that is secure from unauthorized access. Unauthorized  
access

4. (1) The pharmacist in charge of the management of a Class I pharmacy shall ensure that Schedule II drugs Schedule II drugs –  
dispensing under  
supervision

(a) are provided to a consumer by, or under the direct supervision of, a pharmacist; and

(b) are kept in a manner that is secure from unauthorized access.

(2) Before providing a Schedule II drug to a consumer, a pharmacist at a Class I pharmacy shall Responsibility of  
pharmacist

(a) interview the consumer and consult the consumer's medication records, if available, to determine and assess

(i) the consumer's relevant health history and risk factors,

(ii) the condition to be treated,

(iii) the possible need for referral to another health practitioner, and

(iv) the appropriateness of the drug being considered;

(b) recommend an appropriate drug treatment, if any, and provide information on the storage, proper use, expected effects, possible interactions and other side effects of the drug being considered; and

(c) consult with an appropriate health practitioner as necessary.

(3) A pharmacist shall keep pharmacy records of services provided pursuant to subsection (2) in a manner consistent with the Model Standards of Practice for Canadian Pharmacists as developed, published and amended from time to time by NAPRA. Record of services

5. The pharmacist in charge of the management of a pharmacy shall ensure that Schedule III drugs are not sold or offered for sale in the pharmacy unless Restriction –  
Schedule III drugs

(a) such drugs are displayed in an area of the pharmacy that is immediately adjacent to the dispensary; and

(b) a pharmacist is on duty at the pharmacy and is available for consultation with a consumer.

6. These regulations are deemed to have come into force on May 1, 2005. Commencement

### EXPLANATORY NOTES

These regulations specify which drugs are restricted in various categories according to the National Association of Pharmacy Regulatory Authorities, set out prohibitions on selling drugs and require pharmacists to follow certain rules according to the categories.

### EC2005-288

### PHARMACY ACT INTERCHANGEABLE DRUG LIST REGULATIONS

Pursuant to section 28.2 of the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6, Council made the following regulations:

1. In these regulations Definitions
- (a) “interchangeable drug product” means a drug product listed on the interchangeable drug list established under subsection 28.1(1) of the Act; interchangeable  
drug product
- (b) “patient” means a person for whom a drug product is prescribed; patient
- (c) “prescriber” means prescriber

- (i) a physician licensed under the *Medical Act* R.S.P.E.I. 1988, Cap. M-5,
- (ii) a dentist licensed under the *Dental Profession Act* R.S.P.E.I. 1988, Cap. D-6, or
- (iii) any other person authorized by the Minister to prescribe a drug;

(d) “representative” means an adult who attends a pharmacy on behalf of a patient to obtain a drug product for the patient. representative

#### INTERCHANGEABLE DRUG LIST COMMITTEE

- 2.** (1) The term of appointment of members to the Committee shall be up to three years. Terms of Committee members
- (2) Committee members may be re-appointed. Re-appointment
- 3.** Three members of the Committee shall constitute a quorum. Quorum
- 4.** (1) A Committee member may resign at any time by giving written notice to the Minister. Registration
- (2) The Minister may terminate the appointment of a Committee member by providing written notice to the Committee member where the Committee member
- (a) has ceased to be a resident of the province;
  - (b) has failed to declare the Committee member’s conflict of interest in the matter pursuant to section 5; or
  - (c) has had the Committee member’s license suspended or revoked by an appropriate regulatory body pursuant to clauses 28(2)(a) or (b) of the Act.
- Termination by Minister
- 5.** Where a Committee member knows or ought reasonably to know that he or she may be in a conflict of interest with respect to a matter before the Committee, that Committee member shall Conflict of interest
- (a) declare his or her interest at the outset of that meeting; and
  - (b) refrain from voting on that matter.

#### INTERCHANGEABLE DRUG LIST

- 6.** Before making any recommendations to the Minister with respect to the establishment of the interchangeable drug list, the Committee shall review the interchangeable drug lists of other jurisdictions and the drug products currently listed as being interchangeable by Prince Edward Island drug benefit plans in the province. Interchangeable drug list
- 7.** The Minister shall review the recommendations of the Committee and may Ministerial review
- (a) approve the Committee’s recommendations;
  - (b) add further drug products to the list recommended by the Committee; or
  - (c) remove drug products from the interchangeable drug list recommended by the Committee where the Minister considers it is in the public interest to do so.
- 8.** Where the Minister considers it is in the public interest to do so, the Minister shall place a caution on a drug product on the list, including a caution that the drug product is interchangeable only in the treatment of a specific illness or condition. Caution
- 9.** Only Schedule I drugs shall be included in the interchangeable drug list. Prescription drugs
- 10.** (1) For each strength and dosage form of a drug product that a manufacturer wishes to be considered for inclusion on the interchangeable drug list, the manufacturer shall submit to the Committee the following documentation: Required documentation
- (a) a copy of the Notice of Compliance issued by Health Canada;
  - (b) a copy of the product monograph approved by Health Canada;
  - (c) a letter authorizing the Committee to exchange information concerning the drug product with representatives of
    - (i) the government of Prince Edward Island,

- (ii) Health Canada,
  - (iii) the Patented Medicine Prices Review Board,
  - (iv) the Canadian Coordinating Office for Health Technology Assessment,
  - (v) the government of any Canadian province or territory or body in any province or territory with responsibility for the interchangeability of drug products,
  - (vi) Canadian federal government drug programs,
  - (vii) health authorities in the province;
- (d) evidence that the manufacturer is able to supply the drug product in quantities sufficient to meet the anticipated demand in the province;
- (e) evidence that the drug product is currently listed in the *Compendium of Pharmaceuticals and Specialties*, or a letter of intent to have the drug product so listed;
- (f) evidence showing that
- (i) the dosage form, strength, formula, manufacturing process, and testing standards of the submitted drug product are identical to those of the original drug product to which it is compared,
  - (ii) Health Canada has designated the submitted drug product as being equivalent to the original drug product to which it is compared through designation of the original drug product as the Canadian Reference Product under the Food and Drug Regulations (Canada), or
  - (iii) comparative bioavailability studies on humans, comparative clinical studies on humans, or both, or other *in vivo* studies, show the interchangeability of the submitted drug product with the original drug product to which it is compared.

(2) Where the requirement in clause 10(1)(b) cannot be met because Health Canada has not approved a product monograph for the drug product being submitted to the Committee by the manufacturer, the manufacturer shall submit the following to the Committee: Exception

- (a) pharmaceutical information;
- (b) information with respect to the clinical pharmacology of the drug product;
- (c) information with respect to the indications and clinical use of the drug product;
- (d) a list of any contraindications, warnings, or precautions in the use of the drug product and possible adverse reactions to its use;
- (e) a list of symptoms of an overdose of the drug product and information with respect to the treatment of an overdose;
- (f) information with respect to the dosage and administration of the drug product;
- (g) information with respect to the availability of dosage forms for each strength of the drug product marketed in Canada.

**11.** The Committee may recommend to the Minister that a drug product be placed on the interchangeable drug list where Committee recommendation

- (a) the dosage form, strength, formula, manufacturing process, and testing standards of the drug product are identical to those of the original drug product to which it is compared;
- (b) the drug product is designated by Health Canada as being equivalent to the original product the drug product is being compared with, through designation of the original drug product as the Canadian Reference Product under the Food and Drug Regulations (Canada);
- (c) the drug product is designated as an interchangeable drug product in another Canadian jurisdiction and is available for purchase by pharmacies in the province; or
- (d) the drug product is shown, to the satisfaction of the Committee, in comparative bioavailability studies on humans, comparative clinical studies on humans, or both, or other *in vivo* studies, to be the equivalent to the original product.

**12.** On receipt of a recommendation from the Committee for the placement of a drug product on the interchangeable list, the Minister may, notwithstanding the recommendation, refuse to place the drug Refusal in public interest

product on the interchangeable drug list if the Minister considers it advisable, in the public interest, to do so.

**13.** (1) The Minister shall immediately remove a drug product from the interchangeable drug list where Immediate removal  
of drug product

- (a) Health Canada has withdrawn its approval for the sale of the drug product in Canada; or
- (b) the Minister considers it advisable in the public interest to do so.

(2) The Minister shall remove a drug product from the interchangeable drug list within 180 days of receipt of either: Removal of drug  
product within 180  
days

- (a) a notification from the manufacturer that the sale of the drug product in Canada has been discontinued; or
- (b) a notification from Health Canada or the manufacturer that all other products that the drug product is listed as being interchangeable with have been discontinued by the manufacturer or are no longer approved for sale in Canada.

**14.** The Minister shall cause the interchangeable drug list and any changes made to it to be Circulation and  
posting of  
interchangeable  
drug list

- (a) circulated to all pharmacies and all physicians in the province; and
- (b) posted on the government website.

#### RULES FOR PRESCRIBING AND DISPENSING INTERCHANGEABLE DRUG PRODUCTS

**15.** (1) Where a prescriber of a written prescription is of the opinion that a drug product other than the one specified in the written prescription should not be substituted, the prescriber shall clearly write on the prescription the words "No Substitution". Written provision  
for no substitutions

(2) Where a prescriber of a prescription by oral or electronic transmission is of the opinion that a drug product other than the one specified in the prescription should not be substituted, the prescriber shall instruct accordingly each time a prescription is transmitted. Oral or electronic  
provision for no  
substitutions

(3) A pharmacist shall follow the prescriber's instructions not to select a drug product other than the one specified in the prescription when filling the initial prescription and when filling any refills of the same prescription, unless the prescriber otherwise instructs. Pharmacists' duties

**16.** Where a prescriber fails to indicate, in accordance with subsection 15(1) or (2), that there may be no substitution for the drug product specified in a prescription, the pharmacist filling the prescription shall Substitutions

- (a) dispense the lowest-priced drug product that is listed on the interchangeable drug list as a drug product that may be used interchangeably with the drug product specified in the prescription; or

(b) if the drug product referred to in clause (a) is not available due to the inability or failure of the manufacturer to supply the drug product, dispense

- (i) the drug product specified in the prescription, or
- (ii) any other drug product that is listed on the interchangeable drug list as a drug product that may be used interchangeably with the drug product specified in the prescription,

at the price of the second lowest-priced drug product on the list that may be used interchangeably with the drug product specified in the prescription.

**17.** Where a drug product other than the drug product specified in the prescription is dispensed, the pharmacist shall inform the patient or the patient's representative that an interchangeable drug product has been dispensed. Information  
regarding  
interchangeable  
drug products

**18.** (1) Notwithstanding anything to the contrary in section 16, a patient may, in person or through a representative, Patient's right to  
refuse

- (a) refuse to accept a drug product listed on the interchangeable drug list in substitution for the drug product prescribed by a prescriber; or



(b) request the substitution, for the drug product prescribed by a prescriber, for a drug product on the list other than the lowest-priced interchangeable drug.

(2) Where the patient has refused a substitute or requested a substitute other than the lowest-priced, the pharmacist shall explain

Pharmacist's duties

(a) the nature of the interchangeable drug list; and  
(b) the relative prices of the drug product specified in the prescription and the interchangeable drug product listed on the interchangeable drug list.

(3) If, following the explanation by the pharmacist required under subsection (2), the patient maintains his or her refusal or request referred to in subsection (1), the pharmacist shall dispense the drug product chosen by the patient, at the cost of the drug product chosen by the patient.

Dispensing drug  
chosen by patient

19. The Board shall consider, under section 17 of the Act, a contravention of these regulations by a pharmacist to be improper professional conduct.

Offence

20. These regulations come into force on October 1, 2005.

Commencement

### EXPLANATORY NOTES

**SECTION 1** defines terms used in these regulations.

**SECTION 2** specifies terms of appointments for Committee members.

**SECTION 3** determines the quorum for the Committee.

**SECTION 4** determines resignations and terminations of Committee members.

**SECTION 5** provides for a Committee member's conflict of interest.

**SECTION 6** provides for the Committee's review of an initial interchangeable drug list and recommendations respecting interchangeable drug products.

**SECTION 7** provides for Ministerial review of the recommendations of the Committee.

**SECTION 8** permits the Minister to place a caution on a drug product on the interchangeable drug list.

**SECTION 9** provides that only prescription drugs will be included on the interchangeable drug list.

**SECTION 10** lists the documentation required by a manufacturer in order to have a drug product placed on the interchangeable drug list.

**SECTION 11** lists the criteria to be met before the Committee makes a recommendation that a drug product be placed on the interchangeable drug list.

**SECTION 12** provides that a drug will not be placed on the interchangeable drug list if it is not advisable in the public interest to do so.

**SECTION 13** lists circumstances in which a drug product is removed from the interchangeable drug list.

**SECTION 14** requires the circulation and posting of the interchangeable drug list.

**SECTION 15** provides for circumstances where a prescriber may specify that a prescribed drug not be substituted by a drug product on the interchangeable drug list.

**SECTION 16** provides that a pharmacist dispense the lowest-priced drug product that is on the interchangeable drug list.

**SECTION 17** provides that a pharmacist shall inform a person when an interchangeable drug product is being dispensed.

**SECTION 18** provides the patient the right to refuse a drug product, and sets out a pharmacist's duties to explain the nature of the interchangeable drug list.

**SECTION 19** is the offence provision.

**SECTION 20** provides for the commencement of these regulations.

### EC2005-289

#### PHARMACY ACT STANDARDS REGULATIONS AMENDMENT

Pursuant to section 8 of the *Pharmacy Act* R.S.P.E.I. 1988, Cap. P-6, Council approved the following regulations made by the Prince Edward Island Pharmacy Board after consultation with the Council of the Prince Edward Island Pharmaceutical Association, and after the consultation required by clause 7(2)(f) of the Act:

#### 1. Section 1 of the *Pharmacy Act* Standards Regulations (EC618/87) is amended

**(a) by renumbering it as subsection 1(1);**

**(b) by the addition of the following:**

(a.1) "CE unit" means one hour of a continuing education program approved by the Board pursuant to subsection 25(1.2); CE unit

(e.1) "multiple drug package" means a container with individual compartments containing different drugs; multiple drug package

(f.1) "preceptor" means a preceptor approved by the Board under section 29.2; preceptor

(f.2) "prescriber" means prescriber

(i) a person authorized by the law of any province to practice medicine, dentistry or veterinary medicine and to prescribe any Schedule I drugs,

or

(ii) a person or class of persons authorized by the Minister to prescribe the drugs referred to in subclause (i);

(f.3) "provincial health number" means the number assigned to a person pursuant to the *Provincial Health Number Act* R.S.P.E.I. 1988, Cap. P-27.01; provincial health number

(f.4) "PPRA" means a Provincial Pharmacy Regulatory Authority from another jurisdiction; PPRA

**(c) by the addition of the following:**

(2) These regulations Application

(a) apply to all pharmacists and pharmacies in the province, except as provided in clause (b); and

(b) apply, except for sections 9, 19, 20 and 22, to all hospital pharmacies and pharmacists that provide pharmacy services to a hospital.

#### 2. Section 5 of the regulations is amended by the revocation of subsection (2) and the substitution of the following:

(2) Class I, II, III and V pharmacies shall have on their premises reference sources as compiled on a list maintained by the Board and as amended by it from time to time.

Reference sources

**3. Section 8 of the regulations is amended by the deletion of the words “III.”.**

**4. The regulations are amended by the addition of the following after section 8:**

**8.1** Every person working in a dispensary shall wear identification indicating whether that person is qualified to dispense drugs or to engage in patient counselling.

Identification

**5. Section 9 of the regulations is amended by the deletion of the word “All” and the substitution of the words “In the case of a Class I pharmacy, all”.**

**6. Section 14 of the regulations is amended**

**(a) by renumbering it as subsection 14(1);**

**(b) in subsection (1) as renumbered,**

**(i) by the addition of the following after clause (b):**

(b.1) provincial health number of the patient, if any;

**(ii) by the revocation of clause (h) and the substitution of the following:**

(h) handwritten initials of the dispenser and the handwritten initials of the person who received the prescription, if that person is not the dispenser; and

**(c) by the addition of the following:**

(2) A dispenser shall, when refilling a prescription, comply with subsection (1).

Refills information

**7. Section 15 of the regulations is revoked and the following substituted:**

**15. (1)** Where a prescription is transmitted orally to a dispenser at a pharmacy, the dispenser shall not fill the prescription unless

Orally transmitted prescription

(a) the prescriber has personally transmitted the prescription; and

(b) the dispenser records the prescription in a legible and permanent form as required by section 14.

(2) Notwithstanding subsection (1), where a prescription is transmitted orally to a dispenser at a Class II or Class III pharmacy, the dispenser may fill the prescription if it has been transmitted directly to the dispenser by a registered nurse who undertakes to send to the dispenser the written prescription within seven days of the oral order.

Exception

**8. Section 17 of the regulations is amended by the addition of the following after subsection (2):**

(3) Class I and Class V pharmacies shall ensure that all prescription records are stored in an easily retrievable manner.

Records easily retrievable

**9. Section 19 of the regulations is revoked and the following substituted:**

**19.** The dispenser shall ensure that the container of a drug dispensed by prescription is labelled with the following information:

Prescription labels

(a) the name, address and telephone number of the dispensing pharmacy;

(b) the name of the prescriber;

(c) the date the drug was dispensed;

(d) the identification number of the prescription;

(e) information identifying the drug by

(i) the brand or generic name of the drug,

(ii) the manufacturer, if necessary to identify the drug, and

(iii) the strength, dosage form, and quantity dispensed;

- (f) the number of refills, if any, remaining in the prescription;
- (g) the name of the patient;
- (h) directions and cautions respecting the use of the drug;
- (i) the initials of the dispenser.

**10. Section 21 of the regulations is revoked and the following substituted:**

- 21.** (1) Subject to section 22.6, a pharmacist may place an unused, returned drug in the inventory of the pharmacy and redispense it, if Dispensing returned, unused drugs
- (a) the drug was originally provided to a hospital, nursing home or similarly controlled environment under the direct supervision of health care professionals;
  - (b) the container of the drug as dispensed was sealed in such a way as to make evident any opening, access or tampering and the pharmacist is satisfied that the seal has not been opened or tampered with;
  - (c) the receiving pharmacy dispensed the drug;
  - (d) the lot number and expiry date of the drug is known;
  - (e) the pharmacist is satisfied that the drug has not been in contact with other drugs or substances; and
  - (f) the pharmacist is satisfied that the stability, quality, safety and efficacy of the drug have not been compromised between the initial dispensing and the redispensing of the drug.
- (2) Clause (1)(b) does not apply to Class II and Class III pharmacies. Exception

**11. Section 22 of the regulations is amended**

**(a) by the revocation of subclause (2)(a)(i) and the substitution of the following:**

- (i) the patient's name and year of birth, and the patient's provincial health number, if any,

**(b) by the revocation of subsection (3) and the substitution of the following:**

- (3) A pharmacy shall use a computerized patient record system that meets the guidelines adopted by the Board from time to time. Computerized records

**12. The regulations are amended by the addition of the following after section 22:**

**22.1** Subject to subsection 22.2(1), a dispenser may dispense, in a multiple drug package, two or more solid, oral drugs for an individual patient, where the dispenser is satisfied that it is appropriate to do so after considering Oral multiple drug package

- (a) the directions of the manufacturer;
- (b) the reference sources required by these regulations;
- (c) the physical or chemical form of the drug;
- (d) the sensitivity of the drug to light;
- (e) the therapeutic incompatibility of any of the drugs with another drug in the package;
- (f) the risk of chemical interaction with another drug in the package; and
- (g) such other factors as the dispenser considers relevant.

**22.2** (1) A dispenser shall not dispense drugs in a multiple drug package unless such packaging is acceptable to the patient or to the representative of the patient. Patient consent to multiple drug package

(2) The dispenser shall ensure that the patient or the representative of the patient understands how to use the multiple drug package properly. Explanation to patient

**22.3** The compartments of a multiple drug package Multiple drug package not recloseable

- (a) shall be sealed without the application of heat; and
- (b) shall not be recloseable or shall be designed in a manner that will show any reclosure.

**22.4** (1) In addition to the labelling required by section 19, a multiple drug package shall, Labelling

- (a) in respect of the package as a whole, be labelled with
  - (i) the name, address and telephone number of the dispensing pharmacy,
  - (ii) the name, initials or other indicator of the dispenser,
  - (iii) the name of the patient,
  - (iv) the date of dispensing,
  - (v) a multiple drug package number assigned to uniquely identify the package, and
  - (vi) any necessary storage or other instructions respecting the package; and
- (b) in respect of each drug contained in the package, be labelled distinctly with
  - (i) the identification number of the prescription,
  - (ii) information identifying the prescriber,
  - (iii) information identifying the drug by
    - (A) the brand or generic name of the drug,
    - (B) the manufacturer, if necessary to identify the drug, and
    - (C) the strength, dosage form, and quantity dispensed,
  - (iv) a description of the drug enabling it to be clearly recognizable to a layperson, according to such attributes as size, shape, colour and markings,
  - (v) directions for use as prescribed, and
  - (vi) any further instructions or cautions as may be warranted according to the directions of the prescriber, manufacturer and references, and as necessary in the professional judgment of the dispenser; and
- (c) be labelled with an indication of the timing of the opening of the compartments of the package and the taking of the drugs.

(2) If a multiple drug package is divisible or allows for separation of compartments from the whole body of the package, each division or removable part shall contain all of the information required by subsection (1). Parts of multiple drug package

(3) Where it is essential for a drug study or similar purpose to which the patient has consented that the identity of the drug not be disclosed, the label may omit the information required by subclause (1)(b)(iii) with respect to that drug. Drug studies

**22.5** (1) A dispenser who prepares a multiple drug package shall ensure that the patient record required to be kept under section 22 contains the following information: Patient record

- (a) the multiple drug package number assigned pursuant to subclause 22.4(1)(a)(v);
- (b) the prescription numbers of each drug associated with the multiple drug package number;
- (c) a description of the type of multiple drug package, including any characteristics, specifications and special labelling, that is sufficient to enable the duplication of the multiple drug package by a dispenser.

(2) A pharmacy shall retain the information recorded pursuant to subsection (1) for at least two years after the authorization for all refills has expired. Retention of information

**22.6** (1) Drugs dispensed in a multiple drug package that are unused and returned, in whole or in part, shall not be returned to the inventory of the pharmacy or redispensed by the pharmacy. No return, exception

(2) Notwithstanding subsection (1), the drugs referred to in that subsection may be Exception

- (a) returned to the inventory of the pharmacy for the purpose of re-dispensing them to the same patient if the drugs are sealed in the original container; and
- (b) redispensed to the same patient, if it is appropriate in the professional judgment of the dispenser to do so.

**13. Section 24 of the regulations is revoked and the following substituted:**

24. Pharmacists and pharmaceutical clerks shall follow accepted standards of practice as set out in the NAPRA publication, Model Standards of Practice for Canadian Pharmacists, as amended by it from time to time.

Accepted standards  
of practice

**14. Section 25 of the regulations is amended**

**(a) by the revocation of subsection (1) and the substitution of the following:**

25. (1) An applicant for renewal of a license or certificate shall

(a) have completed at least 15 CE units during the year preceding the application; or

(b) provide evidence satisfactory to the Board that the applicant has successfully met the standards set out in the NAPRA publication, National Model Continuing Competence Program for Canadian Pharmacists, as amended by it from time to time.

Renewal  
requirements

**(b) by the addition of the following:**

(1.1) Clause (1)(a) does not apply where the NAPRA National Model Continuing Competence Program for Canadian Pharmacists is implemented.

Exception

(1.2) The Board may approve CE units that are suitable for the purposes of subsection (1).

Approval of CE  
units

**(c) by the revocation of subsection (4) and the substitution of the following:**

(4) This section shall have effect from July 1, 2001.

Effective date

**15. The regulations are amended by the addition of the following after section 29:**

29.1 (1) Every student shall, before commencing a training period in a pharmacy,

Student  
requirements

- (a) apply as a registered student pursuant to section 12 of the Authorization Regulations;
- (b) enter into an apprenticeship agreement with a preceptor; and
- (c) file a copy of the apprenticeship agreement with the Registrar.

(2) An apprenticeship agreement between a preceptor and a student continues in effect from the date of filing with the Registrar until March 31 of the following year, unless it is sooner terminated

Term of  
apprenticeship  
agreement

- (a) by a party;
- (b) on the preceptor's ceasing to be licensed under the Act or the preceptor's license being suspended; or
- (c) on the student's ceasing to be registered.

(3) A registered student shall enter into a new apprenticeship agreement with another preceptor before applying to transfer to that preceptor.

New agreement  
before transfer

29.2 (1) Subject to subsection (2), the Board, on application, shall approve a pharmacist as a preceptor where the Board is satisfied that the pharmacist

Approval of  
preceptor

- (a) has practised pharmacy for at least two years;
- (b) is licensed under the Act; and
- (c) has entered into an apprenticeship agreement with a registered student under which the pharmacist agrees to provide immediate and continuous supervision of the registered student for at least half of the time the student works in the pharmacy during the term of agreement.

(2) The Board shall refuse to approve a pharmacist as a preceptor where the Board is satisfied that

Refusal to approve  
preceptor

- (a) a PPRA or other professional regulatory body made a finding against the pharmacist of professional misconduct, negligence or incompetence; or
- (b) the pharmacist does not meet the requirements of subsection (1).

(3) For the purposes of subsection (4), a preceptor ceases to be qualified as a preceptor if

Preceptor no longer qualified

- (a) the preceptor's license expires, is suspended or is revoked; or
- (b) the preceptor is the subject of a finding described by clause (2)(b).

(4) The Registrar shall, where a preceptor ceases to be qualified as such, notify a registered student with whom the preceptor signed an apprenticeship agreement, of the loss of qualification, by a letter mailed to the most recent address in the records of the Registrar.

*Idem*

(5) A preceptor shall

Preceptor's duties

- (a) act as preceptor under an apprenticeship agreement with not more than one registered student during the same time period;
- (b) carry out the responsibilities of preceptor in accordance with the Act and these regulations; and
- (c) ensure that the student has the opportunity to complete the prescribed practice experience.

**16. These regulations are deemed to have come into force on May 1, 2005.**

#### EXPLANATORY NOTES

**SECTION 1** adds new definitions and clarifies the application of these regulations.

**SECTION 2** provides for a list of reference sources that pharmacies are required to have available.

**SECTION 3** deletes the reference to a Class III pharmacy in section 8 of the regulations.

**SECTION 4** requires that identification be worn by all persons working in pharmacies indicating whether or not they are qualified to dispense drugs or to engage in patient counselling.

**SECTION 5** adds a reference to a Class I pharmacy.

**SECTION 6** adds a reference to the patient's provincial health number, adds a requirement for handwritten initials of the dispenser of a prescription, and requires that the number of refills be shown on the prescription information given to the patient.

**SECTION 7** clarifies the requirements respecting the acceptance of prescriptions transmitted orally.

**SECTION 8** requires Class I and Class V pharmacies to store prescription records in an easily retrievable manner.

**SECTION 9** provides rules for prescription labelling.

**SECTION 10** allows for the dispensing of returned, unused drugs under stringent conditions.

**SECTION 11** adds a reference to the patient's provincial health number and requires pharmacies to adhere to Board guidelines respecting computerized patient records.

**SECTION 12** adds sections dealing with multiple drug packages and the labelling and other requirements necessary for this type of packaging.

**SECTION 13** requires pharmacists and pharmacy clerks to follow accepted standards of practice.

**SECTION 14** sets out the continuing education requirements necessary for the renewal of a license or certificate.

**SECTION 15** adds requirements respecting pharmacy students.

EXECUTIVE COUNCIL \_\_\_\_\_ 24 MAY 2005

**SECTION 16** provides for the commencement of these regulations.



**EC2005-290**

PROVINCIAL COURT ACT  
AND  
VICTIMS OF FAMILY VIOLENCE ACT  
JUSTICE OF THE PEACE  
APPOINTMENT AND DESIGNATION

Under authority of section 14 of the *Provincial Court Act* R.S.P.E.I. 1988, Cap. P-25 Council appointed C.J.M. Daley of Summerside, in Prince County, Prince Edward Island, as a Justice of the Peace for a period of five (5) years, effective 4 June 2005, and designated the said C.J.M. Daley pursuant to section 14 of the *Victims of Family Violence Act*, R.S.P.E.I. 1988, Cap. V-3.2, as a justice of the peace to hear and determine applications within the Province of Prince Edward Island for the term of his appointment.