

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
MEDICINES AND RELATED  
SUBSTANCES CONTROL  
AMENDMENT BILL**

[B 72—97]

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*(As agreed to by the Portfolio Committee on Health (National Assembly))*

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[B 72A—97]

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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJEKOMITEE-AMENDEMENTE  
OP  
WYSIGINGSWETSONTWERP  
OP DIE BEHEER VAN  
MEDISYNE EN VERWANTE  
STOWWE**

[w 72—97]

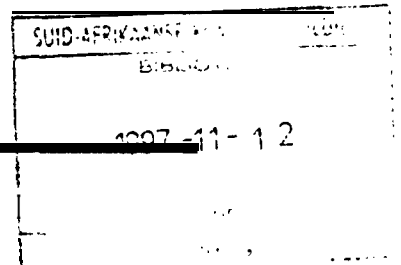
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*(Soos goedgekeur deur die Portefeuljekomitee oor Gesondheid (Nasionale Vergadering))*

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[W 72A—97]

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## AMENDMENTS AGREED TO

### MEDICINES AND RELATED SUBSTANCES CONTROL AMENDMENT BILL [B 72-97]

#### CLAUSE 4

1. On page 6, after line 15, to add the following subsection:

(2) Any person whose period of office as a member of the council has expired, shall be eligible for reappointment: Provided that no person who has served two periods of five years as a member shall be so eligible.

#### CLAUSE 12

1. On page 12, in line 31, after "shall" to insert:

. after consultation with the pharmaceutical industry and other stakeholders.

#### CLAUSE 13

1. On page 22, in line 8, after "substance" to insert:  
except as contemplated in subsection (5)(a) and (b)
2. On page 22, after line 21, to insert the following subsection:

(16) Notwithstanding anything to the contrary contained in this section—

- (a) any person may possess a Schedule O, Schedule 1 or Schedule 2 substance for medicinal purposes;
- (b) any person may possess a Schedule 3, Schedule 4, Schedule 5, Schedule 6 or Schedule 7 substance if he or she is in possession of a prescription issued by an authorised prescriber;
- (c) any medicine or scheduled substance may be possessed by a medical practitioner, dentist, veterinarian, practitioner, nurse or other person registered under the Health Professions Act, 1974, or under the Veterinary and Para-Veterinary Professions Act, 1982, for the purposes of administering it in accordance with his or her scope of practice;
- (d) any medicine or scheduled substance may be possessed for sale by a pharmacist, a person licenced to own a pharmacy in terms of the Pharmacy Act, 1974, or a person who is the holder of a licence as contemplated in section 22C.

#### CLAUSE 14

1. On page 24, after line 5, to insert the following subsection:

(5) No person shall compound or dispense a medicine unless he or she is authorised thereto in terms of the Pharmacy Act, 1974, or is the holder of a licence as contemplated in subsection (1)(a).

2. On page 24, in line 10, to omit "Subsection (5)" and to substitute "subsections (5) and (6)".

3. On page 24, from line 11, to omit “the Medicines and Related Substances Control Amendment Act, 1997” and to substitute “this section”.

CLAUSE 15

1. On page 28, after line 23. to add the following subsection:

(6) An appeal shall lie from any decision of the appeal committee to the High Court.

CLAUSE 16

Clause rejected

CLAUSE 18

1. On page 30, in line 5, after “22A” to insert “.22C(5) and (6)”.

CLAUSE 24

1. On page 36, after line 31, to insert the following paragraph:

(xxxix) relating to the control and conduct of clinical trials:

NEW CLAUSE

- 1, That the following be a new Clause to follow Clause 26:

**Insertion of section 39 in Act 101 of 1965**

**27.** The following section is hereby inserted in the principal Act after section 38:

**“State bound**

**39. This Act binds the State.”.**