

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*.**