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SENATE
S. NO. 2436

RECEIVED BY:

Prepared by the Committees on Civil Service and Government Reorganization and Finance with Senators Escudero and Trillanes IV as authors

AN ACT
TO REGULATE AND MODERNIZE THE PRACTICE OF PHARMACY IN THE PHILIPPINES, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines, in Congress assembled:

ARTICLE I

GENERAL PROVISIONS

Section 1. – Title. - This Act shall be known as the "Philippine Pharmacy Act of 2014".

Section 2. – Statement of Policy. The State recognizes the vital role of pharmacists in the delivery of quality healthcare services through the provision of safe, effective, and quality pharmaceutical products, pharmaceutical care, drug information, patient medication counseling, and health promotion. The pharmacists' professional services shall, therefore, be promoted as an indispensable component of the total healthcare system to ensure the physical well-being of Filipinos.

Hence, the State shall develop and nurture competent, productive, morally upright, and well-rounded pharmacists whose standards of professional practice and service shall be excellent and globally competitive through regulatory measures, programs, and activities that promote and sustain their continuing professional development.

Section 3. – Objectives. - This Act provides for and shall govern the:

1) standardization and regulation of pharmacy education;
2) administration of licensure examination, registration and licensing of pharmacists;
3) supervision, control, and regulation of the practice of pharmacy in the Philippines;

4) development and enhancement of professional competence of pharmacists, through continuing professional development, research, and other related activities; and
5) integration of the pharmacy profession.

Section 4. – Scope of the Practice of Pharmacy. – A person is deemed to be practicing pharmacy, within the meaning of this Act, when he/she undertakes any of the following acts, with or without a fee, salary, percentage or other rewards, paid or given directly or indirectly, shall:

1) Prepare, compound or manufacture, analyze, assay, preserve, store, distribute, procure, sell and/or dispense any pharmaceutical product or its raw materials; or

2) render services, such as, but not limited to, clinical pharmacy services, drug information service, administration of adult vaccines, regulatory services, pharmaceutical marketing, medication management, chemical and microbiological analyses and assays of food, drugs, cosmetics and/or other pharmaceutical products, or whenever the expertise and the technical knowledge of the pharmacist is required; or

3) engage in teaching scientific, technical or professional pharmacy courses in a school or college of pharmacy; or

4) conduct or undertake scientific research in all aspects, involving pharmaceutical products and health care; or

5) dispense drugs during medical missions and in other situations where supervision of dispensing of pharmaceutical products is required; or

6) provide other services where pharmaceutical knowledge is required.

All pharmacists are expected to abide by current standards such as the Philippine Pharmacy Practice Standards, Good Laboratory Practice, Good Distribution Practice, Good Manufacturing Practice and Good Clinical Practice, which are deemed vital in the performance of one's roles and functions in different practice areas.

The Board, subject to the approval of the Professional Regulation Commission (PRC), hereinafter called the Commission, as provided for by Republic Act 8981 otherwise known as PRC Modernization Act of 2000 and in consultation with the Accredited Integrated Professional Organization, may add to, delete, or modify the above-enumerated acts, services, or activities, as the need arises, in order to

conform to the latest trends and developments in the practice of the pharmacy profession.

Section 5. – Definition of Terms. – For purposes of this Act, the term:

1) *"Accredited and Integrated Professional Organization"* (AIPO) refers to the duly integrated and accredited professional organization of registered and licensed pharmacists, of which there shall be only one, as prescribed under Section 41 Article V of this Act.

2) *"Adulterated/Deteriorated Pharmaceutical Products"* refer to pharmaceutical products, the standards of quality or purity of which, are as those stated in the United States Pharmacopeia/National Formulary and Philippine Pharmacopeia in its latest edition or any standard reference for drugs and medicines which are given official recognition as well as those provided for in R.A. No. 3720, otherwise known as the Food, Drug and Cosmetic Act, as amended, and R.A. No. 9711, otherwise known as the Food and Drug Administration Act of 2009.

3) *"Biopharmaceuticals"* refer to pharmaceutical products that are used for therapeutic or for *in vivo* diagnostic purposes, such as vaccines, sera and drugs derived from life forms using biotechnology. These include proteins, nucleic acids or living microorganisms where the virulence is reduced.

4) *"Brand Name"* refers to the proprietary or trade name given by the manufacturer to distinguish its product, and which is duly approved by the Food and Drug Administration (FDA).

5) *"Cipher", "Code" or "Secret Keys"* refers to a method of secret writing or use of characteristic style or symbol by substituting other letter/s or character/s for the letter/s intended, for the purpose of misleading the consumer.

6) *"Compounding"* refers to the sum of processes performed by a pharmacist in drug preparation including the calculations, mixing, assembling, packaging, or labeling of a drug: (i) as the result of a prescription or drug order by a physician, dentist or veterinarian, or (ii) for the purpose of, or in relation to, research, teaching, or chemical analysis.

7) *"Continuing Professional Development" (CPD)* refers to the inculcation of advanced knowledge, skills and ethical values in a post-licensure specialized or in an inter- or multi-disciplinary field of study for assimilation into professional practice, self-directed research, and/or lifelong learning.

8) *"Cosmetics"* refer to pharmaceutical products intended to be placed in contact with the various external parts of the human body or with the teeth and the mucous membranes of the oral cavity, with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance and/or correcting body odor, and/or protecting the body or keeping them in good condition, as defined under R. A. No. 9711.

9) *"Counterfeit, Spurious, Substandard, Falsified Pharmaceutical Products"* refer to pharmaceutical products which do not contain the amounts as claimed; with wrong ingredient/s; without active ingredient/s; or, with insufficient quantity of active ingredient/s, which result in the reduction of the product's safety, efficacy, quality, strength or purity. These also refer to products that are deliberately and fraudulently mislabeled with respect to identity and/or source or with fake packaging, and can apply to both branded and generic products, including but not limited to the following:

   a) the pharmaceutical product itself or the container or labeling thereof or any part of such product, container, or labeling, without authorization; the trademark, trade name or other identification mark/s or imprint/s or any likeness to that which is owned or registered in the Intellectual Property Office (IPO) in the name of another natural or juridical person without the proper authorization;

   b) a pharmaceutical product refilled in containers bearing legitimate labels or marks, without authority;

   c) an imported pharmaceutical product not registered with the FDA, except for pharmaceutical product/s brought into the country for personal use, as evidenced by supporting medical records; and

   d) a pharmaceutical product which contains no amount of the active ingredient; or contains a different active ingredient or contains less than eighty percent (80%) of the active ingredient it purports to possess due to reduction or loss of efficacy resulting from expiration.

10) *"Dangerous Drugs"* refer to those listed in the (1) Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol; (2) Schedules annexed to the 1971 Single Convention on Psychotropic Substances; (3) Annex of R. A. No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, and its latest amendments.

11) *"Dispensing"* refers to the sum of processes performed by a pharmacist from reading, validating and interpreting prescriptions, preparing, packaging, labeling, record keeping, dose calculations, counseling, or giving information, in relation to the sale or transfer of pharmaceutical products, with or without a prescription or medication order.

12) "*Drugs*" refer to pharmaceutical products that pertain to chemical compounds or biological substances, other than food, intended for use in the treatment, prevention or diagnosis of disease in humans or animals, including but not limited to:

a) any article recognized in the official United States Pharmacopoeia - National Formulary, Homeopathic Pharmacopoeia of the United States of America, Philippine Pharmacopoeia, Philippine National Drug Formulary, British Pharmacopoeia, European Pharmacopoeia, Japanese Pharmacopoeia, and any official compendium or any supplement to them;

b) any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease of man or animals;

c) any article, other than food, intended to affect the structure or any function of the human body or animals;

d) any article intended for use, as a component of articles, specified in clauses (a), (b), and (c), not including devices or their components, parts, accessories; and

e) "herbal and/or traditional drugs" as defined in R. A. No. 9711 and in Article 1 Section 5 (16) of this Act;

13) *"Expiration Date"* refers to the date until which the manufacturer can guarantee a product to possess its claimed potency, efficacy, quality, and safety; and after which its sale or distribution is prohibited.

14) "*Emergency* cases" refer to life-threatening situations where a patient needs immediate medical attention and treatment, including the occurrence of epidemic or natural calamities.

15) "*Filling*" refers to the act of dispensing or the provision of medicines in accordance with a prescription or medication order.

16) "*Food/Dietary/Health Supplements*" refer to processed food products intended to supplement the diet and which contain one or more of the following dietary

ingredients: vitamins, minerals, herbs, or other botanicals, amino acids, and dietary substances to increase the total daily intake in amounts conforming to the latest Philippine-recommended energy and nutrient intakes or internationally agreed minimum daily requirements. It may be in the form of capsules, tablets, liquids, gels, powders or pills and not represented for use as a conventional food or as the sole item of a meal or diet or replacement of drugs and medicines, as defined under R. A. No. 9711.

17) *"Generic Name"* refers to the scientifically and internationally recognized name of the active ingredient/s, as approved by the FDA pursuant to R. A. No. 6675, otherwise known as the Generics Act of 1988.

18) *"Household Remedies"* refer to any preparation containing pharmaceutical substances of common or ordinary use to relieve common physical ailments and which may be dispensed without a medical prescription in original packages, bottles or containers, of which the nomenclature has been duly approved by the FDA.

19) *"Institutional pharmacies"* refer to pharmacies of Institutions, Organizations, and/or Corporations that provide a range of pharmaceutical services, given exclusively to the employees and/or their qualified dependents.

20) *"Internship Program"* refers to a supervised practical experience that is required to be completed for licensure as a Registered Pharmacist

21) *"Label"* refers to a display of written, printed, or graphic matter on the immediate container of any article.

22) *"Labeling materials"* refer to all labels and other written, printed, or graphic matter: (1) upon any item or any of its containers or wrappers, or; (2) accompanying any such item.

23) *"Medical* device" refers to any instrument, apparatus, implement, machine, appliance, implant, *in vitro* reagent or calibrator, software, material or other similar or related article intended by the manufacturer to be used by human beings, either alone or in combination, for one or more of the specific purpose(s) of: diagnosis, prevention, monitoring, treatment, alleviation of disease; diagnosis, monitoring, treatment, alleviation of or compensation for an injury; investigation, replacement or modification or support of the anatomy of a physiological process; supporting or sustaining life; control of conception; disinfection of medical devices; providing information for medical or diagnostic purposes by means of an *in vitro* examination of specimen derived from the human body. These devices do not achieve its primary intended action in or on the human body by pharmacological, immunological or metabolic means,

but which may be assisted in their intended function by such means, as defined under R. A. No. 9711.

24) "*Medicines*" refer to drugs in their appropriate dosage forms, with assured quality, safety and efficacy for humans and/or animals.

25) "*Medical Representative or Professional Service Representative*" refers to one who represents any duly authorized manufacturer, distributor, trader and/or wholesaler of pharmaceutical products and whose primary duty is to promote their products to duly-licensed health professionals.

26) *"Non-traditional outlets"* refer to entities licensed by appropriate government agency/ies to dispense over-the-counter medicines based on an approved list.

27) *"Online pharmacy services"* refer to pharmaceutical services of a duly licensed pharmaceutical outlet done over the internet.

28) *"Over-the-counter (OTC) medicines"* refer to medicines used for symptomatic relief of minor ailments, and which may be dispensed without a prescription.

29) "*Pharmaceutical Establishments*" refer to entities licensed by appropriate government agency/ies, and which are involved in the manufacture, importation, exportation, repacking, and/or distribution of pharmaceutical products to pharmaceutical outlets.

30) "*Pharmaceutical Manufacturers*" refer to establishments engaged in any or all operations involved in the production of pharmaceutical products including the preparation, processing, compounding, formulating, filling, packaging, repackaging, altering, ornamenting, finishing and labeling, preparatory to their storage, sale or distribution, except the compounding and filling of prescriptions in pharmaceutical outlets.

31) *"Pharmaceutical Marketing*" refers to any activity undertaken, organized or sponsored by a pharmaceutical establishment and/or outlet which is directed at promoting their product.

32) *"Pharmaceutical Outlets"* refer to entities licensed by appropriate government agency/ies, and which are involved in compounding and/or dispensing and selling of pharmaceutical products directly to patients or end-users.

33) "*Pharmaceutical Products*" refer to drugs, medicines, biologicals, pharmaceutical and biopharmaceutical products/specialties, food/dietary/health supplements, veterinary products, veterinary biologics and

veterinary medicinal products, cosmetics and medical devices used in aid of administration of the above-mentioned products.

34) *"Pharmacist"* refers to a health professional who has been registered and issued a valid Certificate of Registration and Professional Identification Card by the Professional Regulation Commission and the Professional Regulatory Board of Pharmacy.

35) *"Pharmacist-only OTC medicines"* refer to over-the-counter medicines classified by appropriate government agency/ies to be obtained only from a licensed pharmacist, with mandatory pharmacist's advice on their selection and proper use.

36) *"Pharmacy Aides"* refer to persons who assist the pharmacists in the different aspects of pharmacy operation based on established standard operating procedures and processes, with very minimal degree of independence or decision making and without direct interaction with patients.

37) *"Pharmacy Assistants"* refer to persons who assist the pharmacists in different aspects of pharmacy operation based on established standard operating procedures and processes, with a minimum degree of independence or decision making and who may have supervised interaction with patients.

38) *"Pharmacy Technicians"* refer to persons who assist in compounding and dispensing of medicines in community, hospital, institutional and industrial settings or engaged in other activities under the supervision of the pharmacist as described in Section 40 Article IV of this Act.

39) "Philippine Pharmacy Practice Standards" refers to the established national framework for quality standards and guidelines of the practice of pharmacy that responds to the needs of the people who require the pharmacists' services to provide optimal, evidence-based care as issued by the Board, in consultation with the Accredited Integrated Professional Organization of Pharmacists and approved by the Professional Regulatory Board of Pharmacy.

40) "Physician's samples" refer to medicines given to health professionals for promotional purposes only.

41) *"Prescription/Ethical medicines"* refer to medicines which can only be dispensed by a pharmacist to a patient, upon the presentation of a valid prescription from a physician, dentist, optometrist or veterinarian and for which a pharmacist's advice is necessary.

42) *"Refilling"* of a prescription refers to the act of dispensing the remaining balance of medicines ordered in the prescription.

43) "Referral" refers to the process wherein the pharmacists provides consultative services and conducts preliminary assessment of symptoms and refers the patient to a physician or other healthcare professional.

44) "Referral Registry" refers to the record book maintained by pharmacists listing the patients referred to different health facilities for further diagnosis.

45) "Refresher Program" refers to a prescribed study program in an accredited school of pharmacy

46) *"Telepharmacy services"* refer to pharmaceutical services of a duly licensed pharmaceutical outlet done through the use of telephone, teleconferencing or facsimile.

ARTICLE II

THE PROFESSIONAL REGULATORY BOARD OF PHARMACY

Section 6. – The Board of Pharmacy and its Composition. – There is hereby created a Professional Regulatory Board of Pharmacy, hereinafter called the Board, under the administrative supervision of the Professional Regulation Commission, hereinafter called the Commission, composed of a chairman and two (2) members, who shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position ranked by the Commission from a list of five (5) nominees submitted for each position by the Accredited Integrated Professional Organization (AIPO) of Pharmacists.

Section 7. – Qualifications of Board Members. – The members of the Board shall, at the time of nomination, possess the following qualifications:

1) A citizen of the Philippines and a resident thereof for at least five (5) years;

2) A duly registered and licensed pharmacist in the Philippines preferably a holder of a Masteral degree in Pharmacy, or its equivalent;

3) Has been in the active practice of pharmacy for the past ten (10) years;

4) Has not been convicted of a crime involving moral turpitude; and

5) A member in good standing of the AIPO for at least five (5) years, but not an incumbent officer or trustee thereof.

At the time of appointment, he/she must neither be a member of the faculty or an administrative officer of any school, college or university offering degree programs in pharmacy nor has any direct or indirect pecuniary interest or connection in any review center or similar institution.

Section 8. – Powers, Functions and Responsibilities of the Board. – The Board shall exercise the following powers, functions, and responsibilities:

1) Administer and implement the provisions of this Act;

2) Promulgate rules and regulations, administrative orders and issuances necessary to carry out the provisions of this Act;

3) Cause the preparation of licensure examination questions, the scoring and rating of the examinations and the submission of the results thereof to the Commission. The Board shall prepare, adopt, issue or amend the syllabi or tables of specifications of the subjects in the licensure examination, in consultation with the academe and the Commission on Higher Education (CHED);

4) Recommend the issuance, suspension, revocation or reinstatement of the Certificates of Registration (COR), Professional Identification Cards (PIC) or Special Temporary Permits (STP) for the practice of pharmacy;

5) Administer oaths in accordance with the provisions of this Act;

6) Regulate and monitor the practice of pharmacy in the Philippines, including the practice of sub-professional services such as, but not limited to, pharmacy technicians, pharmacy assistants, aides and other medicine handlers, as described in this Act; adopt measures that may be deemed proper for the enhancement of the profession and/or the maintenance of high professional, academic, ethical and technical standards; Pursuant to this mandate, the Board may conduct ocular inspection of pharmaceutical establishments and higher educational institutions, in coordination with concerned government agencies;

7) Promulgate and prescribe the Pharmacists' Code of Ethics, Code of Technical Standards and Guidelines for the Professional Practice of the Pharmacy Profession, in consultation with the AIPO for Pharmacists;

8) Represent the pharmacy profession in all fora involving concerns and issues related to pharmaceutical products and the practice of pharmacy;

9) Investigate cases arising from violations of this Act, the rules and regulations promulgated pursuant thereto, the Pharmacist's Code of Ethics, Code of Technical Standards and Guidelines for the Professional Practice of the Pharmacy Profession, and other Board issuances; and for this purpose, the Board may issue summons, *subpoena ad testificandum* and *subpoena duces tecum* to secure the attendance of witness/es and/or production of document/s and other evidence necessary for such investigation or hearing;

10) *Delegate the hearing or investigation of administrative cases filed before* them, except where the issue or question involves the practice of the profession, in which case, the hearing shall be presided over by at least one (1) member of the Board, to be assisted by a Legal or Hearing Officer of the Commission;

11) Conduct, through the Legal or Hearing Officers of the Commission, summary proceedings on minor violations of this Act, the General Instruction to the Examinees, including the implementing rules and regulations issued by the Board, and to render summary judgment thereon which shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of notice of judgment or decision;

12) Issue and promulgate guidelines on Continuing Professional Development (CPD), in consultation with the AIPO for Pharmacists;

13) Recommend the accreditation of the standardized training programs for and certifications of medical representatives or professional service representatives, pharmacy technicians, pharmacy assistants, pharmacy aides and other medicine handlers covered in Section 40 Article IV of this Act. The Board shall promulgate the criteria and guidelines in the accreditation of training programs and certifications as described above, in consultation with the AIPO for Pharmacists and with other concerned government agency/ies;

14) Accredit Specialty Boards of Pharmacy based on the criteria that it shall establish and prescribe; and

15) Perform and discharge such other functions and responsibilities, as may be deemed implied, incidental and/or necessary, to preserve the integrity of the pharmacy licensure examination and to enhance and upgrade the practice of the pharmacy profession in the country.

Section 9. – Term of Office - The chairman and members of the Board shall hold office for a term of three (3) years from date of appointment or until their successors shall have been appointed and duly qualified; Provided, that any chairman or member may be re-appointed for another term but in no case for more than six (6) years. Provided further, That the first Board under this Act shall hold these terms of

office: the Chairperson for three (3) years, the first Member for two (2) years, and the second Member for one (1) year: Provided furthermore, That an appointee to any vacancy with an unexpired term shall only serve such period. The Chairperson and the Members shall take their oaths of office before discharging the functions of their office.

Section 10. – Compensation of the Board of Pharmacy. – The members of the Board shall receive compensation and allowances comparable to the compensation and allowances received by the members of the other existing professional regulatory boards under the Commission, as provided for in the General Appropriations Act.

Section 11. – Grounds for Suspension or Removal from Office of the Chairman or Member of the Board. - The President of the Philippines may, upon recommendation of the Commission and after due process, suspend or remove the chairman or any member of the Board, on any of the following grounds:

1) Gross neglect, incompetence or dishonesty in the discharge of duty;

2) Involvement in the manipulation, tampering or rigging of the licensure examination, its questions and/or its results, and in the disclosure of classified and confidential information pertaining to the licensure examination;

3) Conviction of an offense involving moral turpitude by a court of competent jurisdiction; and

4) Unprofessional, unethical, immoral or dishonorable conduct.

The Commission, in the conduct of investigation, shall be guided by Sections 7 and 15 of Republic Act No. 8981, the existing rules on administrative investigation, and, by way of supplement, the Rules of Court.

Section 12. Custodian of its Records, Secretariat and Support Services. – All records of the Board, pertaining to the applications for examinations, administrative and other investigative hearings conducted by the Board, shall be under the custody of the Commission. The Commission shall designate a Secretary which shall provide the Board with secretariat and other support services to implement the provisions of this Act.

ARTICLE III

EXAMINATION, REGISTRATION, AND LICENSURE

Section 13. - Licensure Examination Requirement. – Unless exempted therefrom, all applicants for registration for the practice of pharmacy shall be required to pass a licensure examination, as provided for in this Act and Section 7 (d) of R. A. No. 8981.

Section 14. - Qualifications for the Licensure Examination. – An applicant for the Pharmacists Licensure Examination shall, at the time of application, possess the following qualifications:

(a) A citizen of the Philippines or of a foreign country which has a law or policy on reciprocity for the practice of the pharmacy profession;

(b) Of good moral character and reputation;

(c) A holder of a degree in an approved program/course in Bachelor of Science in Pharmacy or its equivalent degree conferred by a Higher Education Institution (HEI) in the Philippines or an institution of learning in a foreign country duly authorized or recognized by the Commission on Higher Education (CHED); and

(d) Has completed an Internship Program approved by the Board, pursuant to such guidelines as may hereinafter be promulgated, in consultation with the duly recognized associations of pharmacy schools and the CHED.

Section 15. - Scope of Examination. – The Pharmacists' Licensure Examination shall cover the following subjects on Pharmacy Science and Practice: Inorganic Pharmaceutical Chemistry, Organic Pharmaceutical Chemistry, Qualitative and Quantitative Pharmaceutical Chemistry, Pharmacognosy and Plant Chemistry, Pharmaceutical Biochemistry, Microbiology and Parasitology, Physical Pharmacy, Biopharmaceutics, Pharmacology and Toxicology, Manufacturing, Quality Assurance and Instrumentation, Pharmaceutical Calculations, Drug Delivery Systems, Hospital Pharmacy, Clinical Pharmacy, Dispensing and Medication Counseling, Pharmaceutical Administration and Management, Public Health, Legal Pharmacy and Ethics.

The Board, subject to the approval of the Commission, may introduce relevant changes on the subject areas, format and content of the examination, as well as on the relative weight attributed to each examination subject, as the need arises, in consultation with the duly recognized associations of pharmacy schools and the CHED.

Section 16. – Holding of Examination. – The Pharmacists' Licensure Examination shall be given twice (2x) a year in such places and dates, as the Commission may designate in the Resolution providing for the master schedule of all licensure examinations pursuant to Section 7 (d) of R. A. No. 8981.

Section 17. – Ratings in the Licensure Examination. – In order to be registered and licensed as a pharmacist, a candidate must obtain a general weighted average of seventy-five percent (75%), with no rating lower than fifty percent (50%) in any of the subjects.

An applicant who failed in the licensure examination for the third (3rd) time shall not be allowed to take the next succeeding examination, without having undertaken a refresher program in a duly accredited institution. The Board shall issue guidelines on the refresher program requirement.

Section 18. – Report of Rating. –The Board shall submit to the Commission the ratings obtained by each candidate within three (3) working days after the last day of the examination, unless extended for just cause. Upon the release of the results of the examination, the Commission shall send by mail the rating obtained by each examinee at his/her given address using the mailing envelope submitted during the examination.

Section 19. – Oath of Profession. – All successful candidates in the licensure examination shall take their oath of profession before any member of the Board, officer of the Commission or any person authorized by law to administer oaths, prior to entering the practice of the pharmacy profession.

Section 20. – Issuance of Certificate of Registration and Professional Identification Card. – A Certificate of Registration (COR) as a pharmacist shall be issued to those who passed the licensure examination, subject to compliance with the registration requirements and payment of the prescribed fees. The COR shall bear the registration number, date of its issuance and the signatures of the chairperson of the Commission and the members of the Board, stamped with the official seals of the Commission and of the Board, certifying that the person named therein is entitled to the practice of the profession, with all the privileges appurtenant thereto. This COR shall remain in full force and effect until suspended or revoked in accordance with this Act.

A Professional Identification Card (PIC) bearing the registration number and dates of its issuance and expiry, duly signed by the chairperson of the Commission, shall likewise be issued to every registrant, upon payment of the prescribed fees. The PIC shall be renewed every three (3) years, upon presentation of the Certificate of Good Standing (COGS) from the AIPO of Pharmacists and proof of completion of the CPD requirements.

Duplicate copy of the COR for display in Category B establishments may be issued. Replacement of lost or damaged COR, PIC or STP may be issued in accordance with the pertinent rules that shall be issued thereon.

Section 21. – Foreign Reciprocity. A foreign citizen may be allowed to take the Pharmacists' Licensure Examination, and be given a COR and PIC to practice

pharmacy in the Philippines if he/she can prove that the country/state of which he/she is a citizen/subject allows Filipino pharmacists to practice the profession within its territorial limits on the same basis as the citizens/subjects of such foreign country/state.

Section 22. – Practice through Special Temporary Permit (STP). – The practice of pharmacy in the Philippines shall be limited to natural persons only and shall be governed by the provisions of R. A. No. 8981 and other issuances pertinent thereto; Provided, that any foreign citizen who has gained entry in the Philippines to perform professional services within the scope of the practice of pharmacy, including but not limited to: (1) being a consultant in foreign-funded or assisted projects of the government; (2) being engaged or employed by a Filipino employer or establishment; (3) providing of free services in humanitarian missions; and (4) being a visiting faculty member in any field or specialty in pharmacy shall, before assuming such duties, functions and responsibilities, secure a Special Temporary Permit (STP) from the Board, and the Commission, under the following conditions:

1) He/she is an internationally renowned pharmacist or expert in a field or specialty of pharmacy;

2) He/she is engaged in the provision of a professional service which is determined to be necessary due to lack of Filipino specialist or expert; and

3) He/she is required to work with a Filipino counterpart, a natural person who is a registered and licensed pharmacist.

Section 23. – Grounds for Non-registration. – The Board shall not register any successful examinee who has been:

1) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;

2) Adjudged by the Board as guilty for misrepresentation or falsification of documents in connection with the application for examination or for violation of the General Instructions to Examinees;

3) Found guilty of immoral or dishonorable conduct by the Board; and

4) Proven addiction to drug or alcohol impairing one's ability to practice the profession or declaration of unsound mind by a court of competent jurisdiction. In case of drug or alcohol addiction, a finding to this effect of a medical or drug testing facility accredited by the Government shall be sufficient.

In refusing such registration, the Board shall give a written statement setting forth the reasons therefor and shall file a copy of the same in its records. Should the ground (4) be proven to be no longer existent, the Board shall issue a Resolution allowing the issuance of such COR.

Section 24. - Reissuance of Revoked Certificate of Registration, Replacement of Lost or Damaged Certificate of Registration, Professional Identification Card or Special Temporary Permit. – The Board may, upon petition, reinstate or reissue a revoked COR after the expiration of two (2) years from date of its revocation. The Board may, in its discretion, require the applicant to take another licensure examination. The petitioner shall prove to the Board that there is a valid reason for such reinstatement. For the grant of the petition, the Board shall issue a Board Resolution, to be approved by the Commission.

ARTICLE IV

REGULATION OF THE PRACTICE OF PHARMACY

Section 25. – Vested Rights; Automatic Registration. – All pharmacists registered before the effectivity of this Act shall automatically be registered hereunder, subject to compliance as to future requirements.

The CORs, PICs or STPs held by such persons in good standing shall have the same force and effect, as though they were issued on or after the effectivity of this Act.

Section 26. – Affixing RPh after a Registered Pharmacist's Name. – Only duly registered and licensed pharmacists shall have the right to affix to his/her name, the title *"Registered Pharmacist"* or *"RPh"*.

Section 27. - Indication of Information. - A pharmacist shall be required to indicate the serial numbers, date of expiry of his/her PIC and AIPO Certificate of Membership on all pertinent documents signed by him/her.

Section 28. – Registry of Pharmacists. – The Board and the Commission shall prepare and maintain a registry of the names, residences and/or office addresses, status of registration and area of practice of all registered pharmacists, which shall be updated annually, in coordination with the AIPO for Pharmacists. This registry shall be made available to the public upon inquiry or request, subject to such guidelines that shall be established therefor.

Section 29. – Display of Certificate of Registration. – It shall be the duty of every pharmacist engaged in the practice, either on his own account or under the employ of another, to display his original copy of COR in a prominent and conspicuous place in the drug establishment or office in which he/she is employed in his/her professional capacity as pharmacist. When employed in establishments under

Category B, as defined under this Act, the duplicate copy of the pharmacist's COR shall also be displayed therein.

No pharmacist shall knowingly allow his/her COR to be displayed in an establishment where he/she is not actually employed as a professional pharmacist.

Section 30. – Dispensing/Sale of Pharmaceutical Products. – No pharmaceutical product, of whatever nature and kind, shall be compounded, dispensed, sold or resold, or otherwise be made available to the consuming public, except through a retail drug outlet duly licensed by the FDA.

Prescription drugs and Pharmacist-only OTC medicines shall be dispensed only by a duly registered and licensed pharmacist, except in emergency cases, where the services of a registered and licensed pharmacist are not available; Provided, That a report shall be made to the supervising pharmacist within twenty-four (24) hours after the occurrence of the emergency so that product recording in the prescription books can be done.

Compounding and dispensing shall be done only by duly registered and licensed pharmacists, in accordance with current Good Pharmacy Practice, Good Dispensing Guidelines, Good Laboratory Practice, Good Clinical Pharmacy Practice Standards and Philippine Pharmacy Practice Standards. A registered and licensed pharmacist may refuse to compound, dispense or sell drugs and pharmaceutical products, if not in accordance with this Act and the abovementioned Standards and Guidelines.

Licensed manufacturers, importers, distributors and wholesalers of pharmaceutical products are authorized to sell their products only to duly licensed pharmaceutical outlets.

Section 31. – Pharmacist Requirement. – Establishments/Outlets which are required to employ and/or retain and maintain the professional services of duly registered and licensed pharmacists shall be classified as follows:

Category A. Pharmaceutical Establishments/Outlets where the direct and immediate control and supervision of a duly registered and licensed pharmacist is required, whenever open for business, whether in-store or online, including:

I. Pharmaceutical establishments/outlets selling or otherwise making available to the consuming public prescription/ethical medicines, Pharmacist-only OTC medicine, whether owned by the government or by a private person or firm, whether sold at wholesale or retail;

II. Departments/divisions/units of pharmaceutical laboratories, pharmaceutical manufacturing laboratories or other establishments with processes involving the preparation, manufacture, assay, regulation, product research and development, quality control, repacking, importation, exportation, distribution,

sale or transfer of pharmaceutical products in quantities greatly in excess of single therapeutic doses; and

III. Government units, including local government, city and municipal health units, non-government organizations and/or associations involved in the procurement, distribution, dispensing and storage of pharmaceutical products.

Category B. Pharmaceutical Establishments/Outlets where the supervision and oversight of a duly registered and licensed pharmacist is required under pertinent provisions of law, including:

I. Retail outlets selling household remedies and over-the-counter drugs as differentiated from the pharmacist-only OTC medicines;

II. Establishments involved in the manufacture, importation, exportation, distribution and sale of medical devices used in aid of administration of pharmaceutical products;

III. Satellite institutional pharmacies providing medicines solely to employees of their respective company and/or the employee's qualified dependents;

IV. Institutions providing telepharmacy services; and

V. Non-traditional outlets of pharmaceutical products; Provided, that no prescription___ medicines and pharmacist-only medicines are sold.

The Board, with the approval of the Commission, may add to, delete, reclassify or modify the above list of establishments, as the need arises, in order to keep pace with developments in the pharmacy practice.

A pharmacist working in a Category A Establishment may be allowed to simultaneously work or render pharmacy services in Category B Establishments, the maximum number of hours of which shall be determined in accordance to such guidelines as may be established therefor by the Board, in consultation with the FDA, and other agencies, establishments, institutions, and regulatory bodies.

Procurement, storage, distribution and/or dispensing of any pharmaceutical product in the national government and local government units shall be made only under the supervision of a duly registered and licensed pharmacist.

All units of establishments, institutions and/or regulatory bodies, whether government or private, with functions that directly involve the practice of pharmacy shall be headed and managed by a qualified, duly registered and licensed pharmacist.

Section 32. - Pharmacist Compensation.

Pharmacists in government service shall receive a starting salary equivalent to Salary Grade (S. G. 15) under R.A. No. 6758, otherwise known as the Compensation and Position Classification Act of 1989, as amended. Pharmacists in the private sector shall receive an entry-level salary equivalent to at least thirty-five percent (35%) above the prevailing minimum wage in the National Capital Region (NCR).

Section 33. – Responsibility for Quality of Pharmaceutical Products. – It shall be the duty of a duly licensed and registered pharmacist of a pharmaceutical establishment/outlet to ensure that all pharmaceutical products conform to standards of safety, quality and efficacy, as provided for in this Act and other pertinent rules and regulations and issuances. Owners, managers, and/or pharmacists in charge of the operation of pharmaceutical outlets and establishments shall be held jointly responsible for non-conformance with these standards.

It shall be unlawful for any person to manufacture, prepare, sell or dispense any pharmaceutical product under a fraudulent name, or pretense or to adulterate any pharmaceutical product offered for sale.

In cases of pharmaceutical products sold in their original package, the seal of which has not been broken or tampered with, the liability that may arise because of their quality and purity rests upon the manufacturer or importer, the distributor, representative, or dealer who is responsible for their distribution or sale.

Section 34. - Filling and Partial Filling of Prescription. All prescriptions and pharmacist-only OTC medicines shall be filled, compounded and dispensed only by a registered and licensed pharmacist, in accordance with the Philippine Pharmacy Practice Standards, Good Dispensing Guidelines and other standards pertaining to purity, safety and quality. Completely filled prescriptions should be surrendered to the pharmacist for recording.

Partial filling of prescription less than the total quantity indicated in the prescription shall be allowed, subject to abovementioned dispensing guidelines. It is the responsibility of the pharmacist dispensing the last quantity completing the prescription to keep the prescription according to proper prescription recording guidelines.

Prescription medicines may be dispensed only by a duly registered and licensed pharmacist and only with a valid prescription of a physician, dentist or veterinarian.

Section 35. - Physician's sample. – Pharmaceutical products given or intended to be given free to any health professional by a manufacturer or distributor or its professional service representative as part of its program or promotion shall not be sold to any pharmaceutical outlet or the consuming public.

The statement "Sample, Not for Sale", or its equivalent, shall appear conspicuously on the primary and secondary packaging of the drug or device to be given. It shall be unlawful to remove, erase, deface or mark the original labels of samples.

Pharmaceutical products classified as antimicrobials, including anti-TB medicines and other classifications of medicines, as may be prescribed, shall not be given or distributed as physician's samples.

Section 36. – Prohibition against use of cipher, codes or unusual terms in prescriptions and prescription substitution– Pharmacists shall not compound or dispense prescriptions, recipes or formulas which are written in ciphers, codes or secret keys or prescriptions of pharmaceutical products with unusual names which differ from those in standard pharmacopeias or formularies.

The pharmacist dispensing or compounding prescriptions should not substitute the medicine called for in the prescription with any other drug, substance or ingredient, without prior consultation with, and written consent of the person prescribing, except in accordance with R. A. No. 6675, (Generics Act of 1988), as amended, and other pertinent laws and regulations.

Section 37. - Label of Dispensed Medicines. - Upon every box, bottle or package of medicines compounded or dispensed by a registered and licensed pharmacist based on prescription, there shall be pasted, affixed or imprinted a seal or label bearing, among others, the name of patient, generic name of drug; brand name, if any, strength, expiry date, directions for use; and name and address of pharmacy, name of the doctor, the dispensing pharmacist and other requirements prescribed in the Philippine Pharmacy Practice Standards and Dispensing Guidelines, R. A. No. 9502, otherwise known as the Universally Accessible Cheaper and Quality Medicines Act of 2008, its implementing rules and regulations and such other guidelines that may be promulgated by the Board.

Auxiliary labels containing special pharmacists' instructions for the patient shall be required as prescribed for Dangerous Drugs, external-use-only drugs, drugs with special storage and administration instructions and such other drugs as may be required by law.

Section 38. - Recording of Patient Medication Profile. – All prescriptions dispensed in the pharmacy shall be recorded in an appropriate recording system indicating therein, among other things, the name and address of the patient, name of prescriber, generic name and brand, dosage strength, quantity of drug and initials of pharmacist. It shall be open for inspection by the representatives of the Board and/or the FDA at any time of the day, when the pharmacy is open, and must be kept for a period of not less than two (2) years after the last entry.

All required information on dangerous drugs dispensed by a pharmacy shall be recorded in the Dangerous Drugs Book or an equivalent recording system as required by R. A. No. 9165 and other applicable laws and issuances.

All referrals, such as but not limited to tuberculosis patients, undertaken by the pharmaceutical outlets shall be recorded in the Referral Registry and shall be open for inspection by the Board, representative of the Department of Health and the Food and Drug Administration (FDA) at any time of the day, when the pharmacy is open, and must be kept for a period of not less than two (2) years after the last entry.

Section 39. – Requirements for the Opening and Operation of Retail Drug Outlet or Establishment. – The opening of a retail drug outlet or establishment shall be subject to requirements provided for in this Act and the rules and regulations prescribed by the FDA.

The application for the opening and operation of a retail drug outlet or other similar business establishments shall not be approved, unless applied for by a Filipino registered and licensed pharmacist, either as owner or as pharmacist-in-charge, pursuant to the provisions of this Act.

Section 40. – Handling of Pharmaceutical Products by Persons Other than a Pharmacist. – For the purpose of this Section, persons handling pharmaceutical products, other than the pharmacist, which shall include but not limited to, pharmacy owners who are non-pharmacists, medical representatives or professional service representatives, and pharmacy support personnel, particularly: pharmacy technicians, pharmacy assistants, pharmacy aides, persons who assist pharmacists in any part of pharmacy operation or in performing functions involved in the handling of pharmaceutical products, shall be certified by the Board after undergoing an accredited training program pursuant to such guidelines as may hereinafter be promulgated by the Board.

No person, except pharmacy graduates, shall be allowed to render such services without undergoing a comprehensive standardized training program accredited by the Board. A reasonable fee, as determined by the Board and the Commission, shall be assessed for this program accreditation and personnel certification.

ARTICLE V

ACCREDITED INTEGRATED PROFESSIONAL ORGANIZATION

Section 41. – The Accredited Integrated Professional Organization (AIPO) of Pharmacists – All pharmacists shall be integrated under one national accredited professional organization that is duly registered with the Securities and Exchange Commission (SEC). The Board shall, through a Resolution, initiate the integration of all registered and licensed pharmacists under one (1) professional organization,

which shall be accredited as the only integrated national organization for all registered pharmacists, with the approval of the Commission.

Section 42. – Membership in the Accredited Integrated Professional Organization (AIPO) – All registered pharmacists must be members of the AIPO for Pharmacists and must maintain membership throughout the duration of the practice of the profession. The professional identification card shall not be renewed if the requirements for membership with the AIPO and the credit units for attendance to duly accredited Continuing Professional Development are not met.

All pharmacy support personnel must be registered as affiliate members of the AIPO for Pharmacists and must likewise maintain membership throughout the duration of employment in pharmaceutical establishments/outlets.

Section 43. – Specialty Boards in Various Areas of Pharmacy Practice. – Specialty Boards in various areas of pharmacy practice shall be created, subject to accreditation by the Board and the Commission. The Board shall issue guidelines in the accreditation of specialty boards in various areas of practice, which shall include the standards of practice within different specialties, qualifications and requirements for the certification of practitioners under each specialty, among others.

ARTICLE VI

VIOLATIONS, ADMINISTRATIVE SANCTIONS, AND PROCEDURES

Section 44. – Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary or Special Permit. – The Board shall have the power, upon notice and hearing, to revoke or suspend the COR of a registered pharmacist or to cancel an STP of a foreign pharmacist on any of the following grounds:

1) Violation of any provision of this Act, its Rules and Regulations, the Pharmacists' Code of Ethics, Code of Technical Standards for the Professional Practice of the Pharmacy Profession, Code of Good Governance and all other guidelines, policies and regulatory measures of the Board and/or the Commission relating to the practice of the pharmacy profession;

2) Conviction of an offense involving moral turpitude by a court of competent jurisdiction;

3) Unprofessionalism, immorality, malpractice, incompetence, gross negligence, or imprudence in the practice of the profession;

4) Fraud or deceit in the acquisition of the COR, PIC or STP or renewal thereof;

5) Allowing the certificate of registration to be used or displayed in establishments where the pharmacist is not actually employed and practicing;

6) Addiction to alcoholic beverages or to any habit-forming drug or insanity or any mental disorder that would render the person incompetent to practice his/her profession as provided for in Section 23;

7) Aiding or abetting the illegal practice of a non-registered and licensed person;

8) False, extravagant or unethical advertisements and endorsement of pharmaceutical products, pharmaceutical outlets and establishments where the pharmacist's name and/or the professional organization he/she represents, and similar information, are used;

9) Manufacture, sale, offering for sale of counterfeit, spurious, substandard, falsified pharmaceutical products and committing other acts in violation of R. A. No. 9165 and R. A. No. 8203, otherwise known as the Special Law on Counterfeit Drugs;

10) Illegal manufacturing, sale, possession, dispensing of dangerous drugs and other acts in violation of Republic Act No. 9165, and other applicable laws and issuances;

11) Committing acts in violation of Section 6 of Presidential Decree No 881, entitled, "Empowering the Secretary of Health to Regulate the Labeling, Sale and Distribution of Hazardous Substances";

12) Practicing pharmacy with a suspended, cancelled or revoked COR or expired PIC;

13) Unauthorized dispensing of pharmaceutical products through unregistered online services or direct selling businesses; and

14) Being found guilty of immoral, unprofessional or dishonorable conduct by the Board.

Section 45. – Grounds for Non-renewal of License. – The following are the grounds for the non-renewal of professional certificate of registration:

1) Refusal to join or to remain a member of good standing of the AIPO for Pharmacists;

2) Nonpayment of annual registration fees for three (3) consecutive years; and

3) Noncompliance with the continuing professional development requirement for the renewal of one's professional identification card.

The Professional Regulatory Board of Pharmacy in consultation with the AIPO for Pharmacists shall periodically evaluate the aforementioned grounds and may revise the same as the need arises, subject to the approval of the Commission and publication and/or due notice to its members.

ARTICLE VII

PENAL PROVISIONS

Section 46. - Penal Provisions. - Any person who shall commit any of the foregoing acts, shall upon conviction, be sentenced to a fine of not less than Two Hundred Fifty Thousand (Php250,000.00) Pesos, but not exceeding Five Hundred Thousand (Php500,000.00) Pesos and/or to imprisonment of not less than one (1) year and one day but not more than six (6) years, or both, at the discretion of the court:

1) Commission of any act in violation of Section 19 and 30 of this Act;

2) Allowing the display of the Certificate of Registration in a pharmaceutical establishment where the pharmacist is not employed and practicing;

3) Displaying of the pharmacist's Certificate of Registration by pharmacy owners/operators in a pharmaceutical establishment where the pharmacist is not employed and practicing;

4) Dispensing or allowing the dispensing or offering for sale of prescription drugs or pharmaceutical products in a place not licensed by FDA as a pharmaceutical outlet;

5) Dispensing of prescription and pharmacist-only OTC pharmaceutical products by a person other than those under the direct and immediate supervision of a duly registered and licensed pharmacist;

6) Allowing the dispensing of prescription and pharmacist-only over-the-counter pharmaceutical products, without the direct and immediate supervision of a duly registered and licensed pharmacist;

7) Compounding and dispensing not in accordance with current Good Manufacturing Practice, Good Laboratory Practice and Philippine Pharmacy

Practice Standards, and such other standards and guidelines issued by the Board;

8) Selling of prescription and Pharmacist-only OTC drugs by manufacturers, importers, and wholesalers to unlicensed pharmaceutical outlets and other establishments;

9) Substitution of prescription drugs which are not generically equivalent to what was on the prescription, without the consent of the prescriber or not in accordance with R. A. No. 6675;

10) Forcing, coercing or intimidating a duly registered and licensed pharmacist to compound or dispense medical and pharmaceutical products in violation of the provisions of this Act;

11) Preparation and compounding of pharmaceutical products in quantities greatly in excess of single therapeutic doses, without the presence and supervision of a duly registered and licensed pharmacist;

12) Non-compliance with the labeling requirements for dispensed medicines by a pharmaceutical outlet;

13) Manufacturing and selling of pharmaceutical products under a fraudulent name and address;

14) Adulteration and misbranding of pharmaceutical products;

15) Manufacturing and selling of unsafe, substandard and counterfeit pharmaceutical products;

16) Operating an unlicensed pharmaceutical outlet such as, but not limited to, online pharmacy service or direct selling not authorized by the FDA;

17) Operating a Category A establishment which opens for business without a duly registered and licensed pharmacist;

18) Operating a Category B establishment, without the supervision and oversight of a duly registered and licensed pharmacist;

19) Practicing pharmacy with an expired, suspended or revoked license;

20) Filling and refilling of prescription and pharmacist-only over-the-counter pharmaceutical products by person other than a duly registered and licensed pharmacist without his direct and immediate supervision;

21) Rural Health Units dispensing prescription drugs and pharmacists-only OTC drugs without the supervision of a duly registered and licensed pharmacists; and

22) All other acts/omissions analogous to the foregoing.

Section 47. - Other Penalties. - Any person who shall commit any of the following acts shall, upon conviction, be sentenced to a fine of not less than One Hundred Thousand (Php100,000.00) Pesos, but not exceeding Two Hundred Thousand (Php200,000.00) Pesos or to imprisonment of not less than thirty (30) days but not more than one (1) year, or both, at the discretion of the court:

1) Affixing of the title *"Pharmacist"* or *"RPh"* to one's name by a person who is not a duly registered and licensed pharmacist;

2) Practicing the pharmacy profession in the Philippines without a valid COR, PIC or STP;

3) Non-indication by a pharmacist of his/her certificate of registration and professional tax receipt numbers in official documents requiring such information;

4) Refusal to display the certificate of registration of the pharmacist in a prominent and conspicuous place in the establishment/outlet where he/she is employed and practicing;

5) Refusal by an establishment to comply with compensation requirement as provided in Section 32 of this Act;

6) Non-compliance by a duly registered and licensed pharmacist with the requirements on the filling of prescription;

7) Non-compliance by a duly registered and licensed pharmacist on the requirements for partially-filled prescription;

8) Selling of physician's samples;

9) Distribution of antimicrobials, including anti-TB drugs and other product classification as may be prohibited by law as physician's samples;

10) Removal, erasure and alteration of mark or label of physician's sample;

11) Use of cipher, codes or secret keys or unusual names or terms in prescriptions;

12) Filling of Prescriptions where cipher, codes, secret keys or unusual names and terms are used;

13) Non-compliance with labeling requirements for dispensed medicines;

14) Non-compliance with the requirements on the keeping of Record Books by a pharmaceutical outlet;

15) Employment of personnel in a pharmacy or pharmaceutical operation without the required training and certification;

16) Refusal of a non-pharmacist owner/operator of a pharmaceutical outlet to undergo training and certification;

17) Refusal by the owner/operator to allow and require duly registered and licensed pharmacists and pharmacy support personnel to undergo continuing professional development, training and certification;

18) Rendering dispensing-related services by non-pharmacists in a pharmaceutical outlet without undergoing the required training and certification;

19) Dispensing pharmaceutical products in medical missions and relief operations without the supervision of a duly registered and licensed pharmacist;

20) Non-compliance with the required training and certification of professional service or medical representatives or professional service representatives, pharmacy technicians, pharmacy assistants, pharmacy aides, pharmacy clerks, and other medicine handlers of pharmaceutical products. Both the medical representatives or professional service representatives, pharmacy technicians, pharmacy assistants, pharmacy aides, pharmacy clerks, or medicine handlers and the pharmaceutical establishment/outlet employing any such individual shall be held jointly liable.

Any person, other than the citizens of the Philippines, having been found guilty of any violation as provided for in this and the preceding Section shall, after having paid the fine or having served the sentence imposed, or both, when so adjudged, shall also be subject to immediate deportation.

The penalties and liabilities herein provided shall be without prejudice to other sanction/s that may be imposed for violation of other applicable laws, policies, rules and regulations.

The owner/operator of the pharmaceutical establishments/outlets and the duly registered and licensed pharmacists and/or pharmacy support personnel are jointly liable for willful violation of any provisions of this Act.

ARTICLE VIII

FINAL PROVISIONS

Section 48. - Enforcement. – It shall be the primary duty of the Board and the Commission to effectively enforce the provisions of this Act. All duly constituted law enforcement agencies and officers of the national, provincial, city or municipal government or of any political subdivision thereof shall ensure the effective enforcement and implementation of the provisions of this Act.

Section 49. - Appropriations. – The Chairperson of the Commission shall immediately include in its programs the implementation of this Act, the funding of which shall be charged against their current year's appropriations and, thereafter, in the annual General Appropriations Act (GAA).

Section 50. - Transitory Provisions- The incumbent chairman and members of the Board shall, in an interim capacity, continue to function as such until the chairman and members of the new Board created under this Act shall have been constituted and/or organized pursuant thereto.

Section 51. Implementing Rules and Regulations. – Within one hundred and twenty (120) days after the approval of this Act, the Board and the Commission, subject to the approval by the Commission, and in consultation with the AIPO for Pharmacists, shall formulate and issue the rules and regulations to implement the provisions of this Act.

Section 52. - Separability Clause. – If any clause, provision, paragraph or part hereof shall be declared not constitutional or invalid, such declaration shall not affect, invalidate, or impair the other provisions hereof, which are otherwise valid and effective.

Section 53. - Repealing clause. – Republic Act No. 5921, as amended, and all other laws, presidential decrees, executive orders and other administrative issuances or parts thereof which are contrary to and/or inconsistent with the provisions of this Act are hereby modified, amended or repealed accordingly.

Sec. 54. - Effectivity. – This Act shall take effect after fifteen (15) days following its full and complete publication in the Official Gazette or in any major daily newspaper of general circulation in the Philippines.

Approved.