

**Poisons Act  
(CHAPTER 234)**

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## **POISONS ACT**

### **(CHAPTER 234)**

(Original Enactment: Ordinance 39 of 1938)

REVISED EDITION 1999

(30th December 1999)

An Act to regulate the importation, possession, manufacture, compounding, storage, transport and sale of poisons.

[1st December 1939]

#### **Short title**

1. This Act may be cited as the Poisons Act.

#### **Interpretation**

2. In this Act and in any rules made thereunder unless there is something repugnant in the subject or context —

“licensed pharmacist” means a pharmacist licensed under this Act;

“licensing officer” means a person empowered by section 4 to issue licences for the purposes of this Act;

“medical practitioner” means a medical practitioner registered under any written law for the time being in force relating to the registration of medical practitioners and includes a medical officer exempted by that written law from registration thereunder;

“pharmacist” means a person registered as a pharmacist under the Pharmacists Registration Act (Cap. 230);

“poison” means any substance deemed to be a poison within the meaning of this Act;

“Poisons List” means the Poisons List in the Schedule;

“registered dentist” has the same meaning as in the Dentists Act 1999 (Act 24 of 1999);

“sale by way of wholesale dealing” means sale to a person who buys for the purpose of selling again;

“veterinary surgeon” means a person who holds the diploma of membership of the Royal College of Veterinary Surgeons of England, or the diploma of a British or foreign veterinary institution or examining body approved by the Minister.

### **Description of poisons**

3.—(1) The substances specified in the Poisons List shall be deemed to be poisons within the meaning of this Act.

(2) The Minister may, by notification in the *Gazette*, add to, remove from or reinstate in the Poisons List any substance which he may consider fit and proper.

### **Licensing officers**

4. The Director of Medical Services or any public officer authorised by him in writing may issue licences for the purposes of this Act.

[14/80; 21/87]

### **General prohibition with respect to importation and sale of poisons**

5. No person shall without a licence from a licensing officer import, possess for sale, sell or offer for sale any poison.

## Prohibitions and regulations with respect to sale of poisons

6.—(1) It shall not be lawful —

- (a) for any person to sell any poison unless —
  - (i) he is licensed under this Act to sell poisons;
  - (ii) the sale is effected in accordance with the provisions of the licence and with any conditions specified therein;
  - (iii) the sale is effected on the premises specified in the licence;
  - (iv) the sale is effected by or under the personal supervision of the person named in the licence; and
  - (v) the sale is effected by or under the personal supervision of a pharmacist; or
- (b) for any person to sell any poison by way of wholesale dealing except to a person licensed under this Act to sell that poison.

[9/99]

(2) It shall not be lawful for a person to sell any poison unless the container of the poison is labelled —

- (a) with the name of the poison;
- (b) in the case of a preparation which contains a poison as one of the ingredients thereof, with particulars as to the proportion which the poison contained in the preparation bears to the total ingredients;
- (c) with the word “Poison” or other prescribed indication of the character of the substance; and
- (d) with the name of the seller of the poison and the address of the premises on which it was sold.

(3) Subject to any rules made under this Act dispensing with or relaxing any of the requirements of this subsection —

- (a) it shall not be lawful to sell any poison to any person unless that person is known to the seller or to some pharmacist in the employment of the seller at the premises where the sale is effected, or is introduced by some person known to the seller as a person to whom the poison may properly be sold; and
- (b) the seller of any poison shall not deliver it until —

- (i) he has made or caused to be made an entry in a book to be kept for that purpose stating the date of the sale, the name and address of the purchaser and of the person, if any, introducing him, the name and quantity of the substance sold and the purpose for which it is stated by the purchaser to be required; and
- (ii) the purchaser and the person introducing him, if any, have affixed their signatures to that entry.

**Exemptions in respect of medicines supplied by medical practitioners, etc.**

7.—(1) Except as provided in any rules made under this Act, nothing in section 6 shall apply —

- (a) to a medicine which is supplied by a medical practitioner for the purposes of medical treatment of his own patients;
- (b) to a medicine which is supplied by a registered dentist for the purposes of dental treatment of his own patients;
- (c) to a medicine which is supplied by a veterinary surgeon for the purposes of animal treatment;
- (d) to a medicine which is dispensed by a licensed pharmacist on the premises specified in his licence; or
- (e) to a poison forming part of the ingredients of a medicine, except a patent or proprietary medicine, which is supplied by a licensed pharmacist on the premises specified in his licence,

if the requirements contained in subsections (2), (3) and (4) are satisfied in relation thereto.

(2) The medicine shall be distinctly labelled with the name and address of the firm or person by whom it is supplied or dispensed and with a serial or other identification number or mark.

(3) On the day on which the medicine is supplied or dispensed or, if that is not reasonably practicable, on the day next following that day, there shall be entered in a book which is kept and used regularly for the purpose of this provision but which need not be used exclusively for that purpose the following particulars:

- (a) the date on which the medicine was supplied or dispensed and the serial or other identification number or mark relating to the medicine;