

GOVERNMENT NOTICE NO.....published on.....

THE PHARMACY ACT,  
(CAP. 311)

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**RULES**

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*(Made under sections 38(c)(i) and 56(1)(b),(c) & (2))*

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**THE PHARMACY (CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR  
PHARMACEUTICAL PERSONNEL) RULES 2024**

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PART I  
PRELIMINARY PROVISIONS

Citation	1. These Rules may be cited as the Pharmacy (Code of Ethics and Professional Conduct for Pharmaceutical Personnel) Rules, 2024.
Application	2. These Rules shall apply to pharmaceutical personnel in the performance of their professional responsibilities, duties and acceptable behaviors and are intended to assist them in attaining the desired level of conduct with a view to ensuring integrity of the pharmacy practice.
Interpretation Cap. 311	<p>3. In these, Rules, unless the context otherwise requires:</p> <p>“Act” means the Pharmacy Act;</p> <p>“Code” means the obligations and stipulations prescribed in the Schedule to these Rules;</p> <p>“Pharmaceutical personnel” means a registered pharmacist, enrolled pharmaceutical technician or enlisted pharmaceutical assistant;</p> <p>“Intern Pharmacist” means any person registered as such under section 17 of the Act;</p> <p>“Professional misconduct has the meaning ascribed to it under section 2 of the Act,</p> <p>“professionalism” means the active demonstration of the following traits:</p> <ul style="list-style-type: none"><li>(a) knowledge and skills of the pharmaceutical profession;</li><li>(b) commitment to self-improvement of skills and knowledge;</li><li>(c) service orientation;</li><li>(d) pride in the pharmaceutical profession;</li><li>(e) collaborative relationship;</li><li>(f) creativity and innovation;</li><li>(g) conscience and trustworthiness;</li><li>(h) accountability at work; and</li><li>(i) Ethically sound decision making and leadership.</li></ul> <p>“Pharmacy Council” means the Council established under Section 3 of the Act;</p> <p>“Pharmacy practice” has the meaning ascribed to it under Section 2 of the Act;</p>

PART II  
CODE OF CONDUCT AND PRACTICE

Adherence to Code	<p>4. (1) A pharmaceutical personnel shall comply with the provisions of the Code as provided for in the Schedule.</p> <p>(2) Subject to the Act, the Council shall enforce the Code of Ethics and Professional Conduct, for the purpose of control the discipline of pharmaceutical personnel.</p>
Competence requirement	5. A pharmaceutical personnel when discharging the duties shall demonstrate the requisite level of competence and capacity as would reasonably be expected from such personnel.
Practitioner’s	6. (1) The Council shall avail each pharmaceutical personnel with the copy

awareness and compliance with Code of these Rules.  
(2) A Pharmaceutical personnel before assuming the duties shall be required to subscribe to the Oath of allegiance as set out in the Schedule to these Rules.

### PART III BREACH OF CODE AND PROCEEDINGS UPON BREACH

Sanction for breach of Code 7. (1) A pharmaceutical personnel who breaches the provisions of the Code commits a professional misconduct, and shall be dealt with in the manner stipulated under section 45 of the Act.

Complaints over misconduct 8 (1) A person who is aggrieved by the conduct of a pharmaceutical personnel and who believes that the pharmaceutical personnel has-

- (a) committed a professional misconduct;
- (b) failed to discharge his duty to the client in a professional manner;
- (c) engaged in a business which is inconsistent with the dignity of the profession;
- (d) permitted his professional service or his name to be used by an unauthorized person; or
- (e) committed any act prohibited by the Act, or any other law regulating the professional conduct of a pharmaceutical personnel,

may, lodge a complaint to the Registrar against such pharmaceutical personnel.

GN No. 268 of 2020 (2) The complaint shall be in a manner as set out in Regulation 4 of the Pharmacy (Inquiry) Regulations.

(3) Nothing in these Rules shall be construed to restrict the Council from commencing professional misconduct proceedings on its own motion.

GN No. 268 of 2020 (4) Any proceedings initiated by a complainant or the Council under these rules shall comply with the Pharmacy (Inquiry) Regulations.

Declaration of breach 9. (1) The Council after consideration of the matter when the complaint made is proved, shall direct the Registrar to issue a declaration of breach of professional misconduct in such format as it may direct.

(2) Subject to sub-rule (1) , a breach of professional misconduct shall warrant the imposition of a penalty under Section 45 of the Act.

Recording of proceedings 10. The proceedings of the Council shall be taken or recorded by the Secretariat of the Council or by means of shorthand notes or electronically or steno-graphically recorded.

Appeals 11. The provisions of Section 51 of the Act shall have effect in respect of any appeal against the decision of the Council under these Rules.

## **SCHEDULE**

*(Made under rule 4(1))*

### **PRINCIPLES OF THE CODE**

Principles and purpose of Code	<p>1.-(1) The principles of the Code of Ethics are intended to capture the philosophical foundation of pharmacy practice and to express the responsibilities and professional values that are fundamental and inherent to the pharmacy profession.</p> <p>(2) There may be obligations or situations that are not expressly provided for, but pharmaceutical personnel will still be required to meet all the implied requirements of ethical practice.</p> <p>(3) For those entering the profession, the code identifies the basic moral commitments of pharmacy care and serves as a source of education and reflection.</p> <p>(4) For those within the profession, the code serves as a basis for pharmaceutical personnel to monitor their own ethical conduct and that of their colleagues.</p> <p>(5) For those outside the profession, the code provides guidance for assessing the minimum ethical conduct expected from pharmaceutical personnel.</p> <p>(6) Adoption of the code represents a conscious undertaking on the part of the members of the pharmacy profession to be responsible for practicing in accordance with the expressed principles.</p>
Oath of allegiance	<p>2.-(1) An Oath of allegiance to the Code constitute the formal declarations of ethics of pharmacy profession. Swearing an oath is symbolically a formal step to the compliance in the professional socialization process.</p> <p>(2) Oath of allegiance to which every pharmaceutical personnel shall ascribe to shall be descriptive as follows:</p> <p><b><i>“At this time, I vow to devote my professional life to the service of mankind through the profession of pharmacy. I will consider the welfare of humanity and relief of human suffering my primary concerns. I will use my knowledge and skills to the best of my ability in serving the public and other health professionals.</i></b></p> <p><b><i>I will do my best to keep abreast of developments and maintain professional competence in my profession of pharmacy. I will obey laws governing the practice of pharmacy and will support enforcement of such laws. I will maintain the highest standards of moral and ethical conduct. I take these vows voluntarily with the full realization of the trust and responsibility with which I am empowered by the public”.</i></b></p>
Ethical	<p>3.-(1) Situations often arise those present ethical problems for</p>

problems	<p>pharmaceutical personnel in their practice. These situations may fall but not limited to the following categories:</p> <ul style="list-style-type: none"> <li>(a) Ethical violations involving the negligence of moral obligations of failure to provide competent pharmaceutical services;</li> <li>(b) Ethical dilemmas arise where ethical reasons both for and against a particular course of action are present and one option must be selected;</li> <li>(c) Ethical distress occurs when pharmaceutical personnel experience the imposition of practices that provoke feeling of guilt, concern or distaste;</li> </ul> <p>(2) The code tries to provide guidance for those pharmaceutical personnel who face ethical problems. Hence the Code should lead to better decision-making when ethical problems are encountered.</p>
Codes and their explanation	<p>4. The Code and their supporting explanations and obligations form the basis for the provision of a consistent high quality professional service which safeguards and promotes the well-being of the community and maintains public confidence in the profession</p>
Principles under the Code	<p>5. The principles are equally important and are listed in no particular order. As pharmaceutical personnel:</p> <ul style="list-style-type: none"> <li>(a) Make care and safety of the public the first priority.</li> <li>(b) Respect and treat all clients equally, and protect their dignity and privacy</li> <li>(c) Comply with legal requirements and uphold professional standards in provision of health services.</li> <li>(d) Uphold Honesty and integrity</li> <li>(e) Always strive to develop and increase professional knowledge and competency.</li> <li>(f) Safeguard Inter-professional relationship.</li> <li>(g) Uphold professionalism.</li> </ul>
General obligation	<p>6. In their areas of practice, every pharmaceutical personnel must promote, develop, implement and maintain policies, laws, directives and standard guidelines that are designed to ensure provision of quality services.</p>

## **STIPULATIONS OF THE CODE**

### **Care and safety of the public as the first priority.**

Code one	<p>7. A pharmaceutical personnel-</p> <ul style="list-style-type: none"> <li>(a) has to act in the best interest of the individual client;</li> <li>(b) is responsible for providing professional care to clients in attaining optimal therapeutic/health outcomes;</li> <li>(c) shall promote safety, quality, efficacy and appropriate supply and use of medicines and ensure timely access to medicines for the clients;</li> <li>(d) shall refuse to knowingly condone the dispensing, promoting, or distributing of drugs or medical devices that are not of good quality, that do not meet standards required by law, or that lack therapeutic value for the client;</li> <li>(e) shall always strive to provide information to clients regarding professional services truthfully, accurately, and clearly;</li> </ul>
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- (f) shall bear the responsibility and accountability in the control and supply of medicines safeguarding the public health;
- (g) shall make use of professional knowledge in educating the public on medicine use, misuse, and abuse;
- (h) shall seek to maintain professional relationships with other Pharmaceutical personnel, other members of the health care community and stakeholders to achieve the highest standard of care for the best interest of the client;
- (i) shall be cautious in dealing with medicine and medicinal preparations known to be poisonous or to be used for addiction or any other abusive purposes;
- (j) shall ensure that medicine are always purchased from approved and licensed sources and a pharmaceutical personnel shall always be on his guard not to aid or abet, directly or indirectly the manufacture, possession, distribution and sale of spurious or sub-standard or falsified medicine;
- (k) Shall at all time exercise proper and/or reasonable care in respect of and control over medicines. In adhering to this principle the following should be taken into consideration:
  - (i) Pharmaceutical personnel has a professional responsibility to exercise control over all medicinal and related products, which are purchased or supplied.
  - (ii) All Pharmaceutical personnel should keep abreast of current thinking, including legislation on safety and use of medicines and other products associated with maintenance or promotion of health.
  - (iii) A Pharmaceutical personnel must be satisfied that both the supplier and the source of any medicine purchased are licensed in terms of law and Rules and should report any suspicion to the respective regulatory authority.
  - (iv) Due regard must be paid to the storage conditions before purchase and to the labels, leaflets, appearance, origin and subsequent chain of supply of the medicine concerned.
  - (v) Medicines may only be sold/supplied to persons/ institution who are appropriately authorized to be in possession of such medicines.

**Respect and treat all clients equally, and protect their dignity and privacy**

Code two

- 8. A pharmaceutical personnel-
  - (a) shall treat clients without prejudice of race, age, gender, nationality, religion, disability or socio-economic status; and not allow personal beliefs to influence the management of clients;
  - (b) shall hold the details of client information by taking all reasonable steps to prevent accidental disclosure or unauthorized access to confidential information and should not disclose such information to anyone without proper client authorization/consent except where the best interest of the client requires or required by law.

**Comply with legal requirements and uphold professional standards in provision of health services.**

Code three

9. A pharmaceutical personnel shall-
- (a) comply with the laws that govern practice in the course of their professional responsibilities;
  - (b) ensure that the premises of practice fulfill professional practice guidelines and standards so as to enable the provision of safe, high quality and cost-effective health services and products;
  - (c) take responsibility for all work done by them and ensure that those under their supervision are able to carry out their duties competently;
  - (d) ensure appropriate standard operating procedures exist and are adhered to for the care and safety of the client;
  - (e) abide by governing laws, standards and guidelines pertaining to the research, manufacture, distribution, sale, promotion and advertising of all health services and products;
  - (f) refrain from misleading the public by promoting or criticizing any health product or services, through advertisements or other endorsements;
  - (g) make sure that their professional judgment is not impaired by personal or commercial interests, incentives, targets or similar measures.

**Upholding honesty and integrity**

Code four

10. A pharmaceutical personnel shall-
- (a) act with honesty and integrity to uphold public trust and confidence in their profession;
  - (b) maintain proper professional boundaries in the relationships with clients and other individuals that they come into contact with during the course of professional practice or with the public through any form of media including social media;
  - (c) refuse to knowingly dispensing, promoting, or distributing medicine or medical devices that are not of good quality, that do not meet standards required by law, or that lack therapeutic value for the client;
  - (d) seek to avoid conflicts of interest and declare any personal or professional interests to those who may be affected;
  - (e) comply with legal requirements, mandatory professional standards and accept best practice guidance, and adhere to acceptable standards of personal and professional conduct;
  - (f) be receptive, respond promptly and politely to shortcomings, complaints and criticism pertaining to practices;
  - (g) honor commitments, agreements and arrangements for the provision of professional services;
  - (h) be liable to provide accurate information that do not mislead others or make claims that cannot be justified;
  - (i) disclose to the relevant authorities if they are self-aware of being a substance-abusing individual whose practice, judgment and skill could be impaired and may affect public safety;

- (j) be responsible, if they are of sound mind, to disclose to the relevant authorities if they have been diagnosed with any medical condition that may render them unfit to continue to practice.

**Always strive to develop and increase professional knowledge and competency.**

Code five

- 11. A pharmaceutical personnel shall-
  - (a) keep abreast and strive with the most current professional knowledge and skills up to-date so as to maintain a high standard of competency in professional practice.
  - (b) be prepared to learn and apply new knowledge and skills to expand their roles and responsibilities.
  - (c) commit to continuous learning and professional development as a means of advancing their practice and professional role.
  - (d) promote the interest of individuals in entering the profession, assist and supervise them in professional responsibilities and be accountable for them.
  - (e) contribute to the development, education and training of colleagues and students, sharing relevant knowledge, skills and expertise to meet prescribed competency standards.

**Safeguard Inter-professional relationship.**

Code six

- 12. A pharmaceutical personnel shall-
  - (a) maintain effective professional relationships with their colleagues and other healthcare professionals and offer assistance when called upon for advice and shall treat everyone equally;
  - (b) refrain from publicly criticizing their colleagues and other healthcare professionals;
  - (c) demonstrate respect for the dignity, views, ability and rights of colleagues and other healthcare professionals in forming and maintaining professional relationship;
  - (d) provide professional service to the best of their capabilities and to conduct themselves in such a manner as to hold their profession in high esteem and use professional judgment by following the laws and Rules pertaining to pharmacy profession.

**Uphold professionalism.**

Code seven

- 13. A pharmaceutical personnel shall-
  - (a) contribute the best of their abilities for the betterment of the profession of pharmacy and uphold their profession in a positive manner at all times;
  - (b) in the areas of practice, promote, develop, implement and maintain policies, laws, Rules and standard guidelines that are designed to achieve and maintain high professional standards in pharmacy practice;
  - (c) strive at all times to achieve and maintain high professional standards in pharmacy practice;
  - (d) be responsible for maintaining professional standards and be



- accountable for his/her actions and has the responsibility of providing quality service in conscientious, diligent and efficient manner;
- (e) be honest to fulfill professional responsibility, be fair in distributing resources at all times, to tell the truth, loyal and avoid deception in whatever form;
  - (f) when discharging his/her duties, demonstrate a team-work with other professionals in the health care delivery system, share his/her knowledge and skills and respect others views for the benefit of community;
  - (g) display high degree of skills embodied in the profession; practice ethically by striving to achieve the best care in the circumstances; maintain competence at all times and refrain from exposing clients to unnecessary risks or costs;
  - (h) refrain from entering into, or being part of any transaction or agreement, which may reflect negatively on his or her professional independence or the professionalism, or ethics of the profession as a whole;
  - (i) refrain from practicing under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill and that cause deterioration of the quality of professional services rendered;

#### Attire

14. (1) The appropriate development of a pharmacy professional requires the creation and maintenance of a professional environment and is the responsibility of pharmaceutical personnel.
- (2) Pharmaceutical personnel are expected to wear appropriately, decently and professional dress during practice or any other engagement.
- (3) Clinical or laboratory white coat is the recognized dress code for the pharmacy profession however, individual practice setting may have a more different dress code, hence pharmaceutical personnel should always portray positive image of the pharmacy profession.

.....12 September, 2024.....

  
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Chairman of the Council