

The Drug Schedules Regulations, 1997

being

[Chapter P-9.1 Reg 2](#) (effective January 1, 1998) as amended by Saskatchewan Regulations [105/97](#), [73/2003](#), [20/2004](#), [119/2005](#) and an [Errata notice](#) published in the Gazette January 20, 2006, [83/2007](#) and [51/2010](#).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER P-9.1 REG 2

The Pharmacy Act, 1996

Title

- 1 These regulations may be cited as *The Drug Schedules Regulations, 1997*.

Interpretation

- 1.1 In these regulations, “**Act**” means *The Pharmacy Act, 1996*.

25 Jly 2003 SR 73/2003 s3.

Practitioners prescribed

- 1.2 For the purposes of clause 2(t) of the Act, the following health care professionals are prescribed as practitioners:

- (a) registered nurses who are entitled pursuant to *The Registered Nurses Act, 1988* to practise in the nurse practitioner category;
- (b) optometrists;
- (c) pharmacists;
- (d) midwives.

7 May 2004 SR 20/2004 s3; 21 Sep 2007 SR 83/2007 s3.

Drug schedules

- 2(1) Three drug schedules are established as set forth in this section.
- (2) Schedule I, entitled “Prescription Drugs”, consists of the following:
- (a) the drugs listed in the schedules to the *Narcotic Control Regulations* (Canada) other than a drug mentioned in section 36 of those regulations;
 - (b) the drugs listed in Schedule F of the *Food and Drug Regulations* (Canada) other than a drug listed in Part II of that Schedule:
 - (i) that is not in a form suitable for use by a human; or
 - (ii) for which the main product panel of both the inner label and the outer label clearly indicates that the drug is for veterinary use only;
 - (c) the drugs listed in the schedule to Part G of the *Food and Drug Regulations* (Canada);
 - (d) those drugs determined by the council pursuant to section 3.
- (3) Schedule II, entitled “Non-Prescription Restricted Access Drugs”, consists of the following:
- (a) pseudoephedrine, pseudoephedrine hydrochloride or pseudoephedrine sulphate, but only with respect to products in which pseudoephedrine, pseudoephedrine hydrochloride or pseudoephedrine sulphate is the single active ingredient;
 - (b) those drugs determined by the council pursuant to section 3.

(4) Schedule III, entitled “Pharmacy Only Non-Prescription Drugs”, consists of those drugs determined by the council pursuant to section 3.

1 Aug 97 cP-9.1 Reg 2 s2; 12 Dec 97 SR 105/97 s3; 25 Nov 2005 SR 119/2005 s3.

Schedules - establishment and amendment

3(1) Council shall determine the additional drugs to be listed in Schedule I by way of administrative bylaw.

(2) Council may delete a drug listed in Schedule I that appears in any of the schedules mentioned in clauses 2(2)(a) to (c) by way of administrative bylaw.

(3) Council may determine the additional drugs to be listed in Schedule II by way of administrative bylaw.

(4) Council shall determine the drugs to be listed in Schedule III by way of regulatory bylaw.

1 Aug 97 cP-9.1 Reg 2 s3; 12 Dec 97 SR 105/97 s4; 25 Nov 2005 SR 119/2005 s4.

Dispensing and selling drugs

4(1) A licensed pharmacist may sell a drug listed in Schedule I to the public only on the authority of a prescription issued by a practitioner who is a member of a category of practitioners authorized to prescribe the drug.

(2) Subject to section 23 of the Act, Schedule II and Schedule III drugs may only be sold to the public in a pharmacy.

(2.1) A licensed pharmacist shall not sell products containing more than 3600 mg of pseudoephedrine, pseudoephedrine hydrochloride or pseudoephedrine sulphate as the single active ingredient to a member of the public in a single transaction.

(3) A licensed pharmacist may sell a drug listed in Schedule II or III to the public without a prescription.

12 Dec 97 SR 105/97 s5; 25 Nov 2005 SR 119/2005 s5.

Storing of Schedule II drugs

5 Drugs listed in Schedule II are to be stored in a secure location that:

- (a) is in the pharmacy; and
- (b) is not accessible to the public.

12 Dec 97 SR 105/97 s6.

Prescription privileges - physician

6(1) A duly qualified medical practitioner may, subject to the terms, conditions and restrictions of a licence issued pursuant to *The Medical Profession Act, 1981*, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating humans.

(2) A physician who possesses qualifications similar to those of a duly qualified medical practitioner and who is licensed pursuant to a law of another jurisdiction in Canada providing for the granting of licences to physicians to practise their profession may, subject to the terms, conditions and restrictions of that licence, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating humans.

1 Aug 97 cP-9.1 Reg 2 s6; 25 Jly 2003 SR 73/
2003 s4.

Prescription privileges - dentist

7(1) A dentist registered and licensed pursuant to *The Dental Profession Act, 1978* may, subject to the terms, conditions and restrictions of a licence issued pursuant to *The Dental Disciplines Act*, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of providing dental treatment to humans.

(2) A dentist who possesses qualifications similar to those of a dentist mentioned in subsection (1) and who is licensed pursuant to a law of another jurisdiction in Canada providing for the granting of licences to dentists to practise their profession may, subject to the terms, conditions and restrictions of that licence, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of providing dental treatment to humans.

1 Aug 97 cP-9.1 Reg 2 s7; 25 Jly 2003 SR 73/
2003 s5; 21 May 2010 SR 51/2010 s3.

Prescription privileges - optometrist

8(1) An optometrist registered and licensed pursuant to *The Optometry Act, 1985* may, subject to the terms, conditions and restrictions of a licence issued pursuant to *The Optometry Act, 1985*, prescribe pharmaceutical agents, within the meaning of *The Optometry Act, 1985*, listed in Schedule I, II or III for the purpose of providing eye treatment to humans.

(2) An optometrist who possesses qualifications similar to those of an optometrist mentioned in subsection (1) and who is licensed pursuant to a law of another jurisdiction in Canada providing for the granting of licences to optometrists to practise their profession may, subject to the terms, conditions and restrictions of that licence, prescribe pharmaceutical agents, within the meaning of *The Optometry Act, 1985*, listed in Schedule I, II or III for the purpose of providing eye treatment to humans.

1 Aug 97 cP-9.1 Reg 2 s8; 25 Jly 2003 SR 73/
2003 s6.

Prescription privileges - veterinarian

9(1) A veterinarian registered and licensed pursuant to *The Veterinarians Act, 1987* may, subject to any terms, conditions and restrictions of a licence issued pursuant to *The Veterinarians Act, 1987*, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating animals.

(2) A veterinarian who possesses qualifications similar to those of a veterinarian mentioned in subsection (1) and who is licensed pursuant to a law of another jurisdiction in Canada providing for the granting of licences to veterinarians to practise their profession may, subject to the terms, conditions and restrictions of that licence, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating animals.

1 Aug 97 cP-9.1 Reg 2 s9; 25 Jly 2003 SR 73/
2003 s7.

Prescription privileges – pharmacists

9.1(1) Subject to the *Controlled Drugs and Substances Act* (Canada) and the bylaws of the Saskatchewan College of Pharmacists, a licensed pharmacist may, subject to the terms, conditions and restrictions of his or her licence, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating humans.

(2) A pharmacist who is licensed to prescribe drugs pursuant to a law of another jurisdiction in Canada providing for the granting of licences to pharmacists to practise their profession may, subject to the terms, conditions and restrictions of that licence, prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating humans.

21 May 2010 SR 51/2010 s4.

Prescription privileges - nurse practitioner

9.2 Subject to the *Controlled Drugs and Substances Act* (Canada) and the bylaws of the Saskatchewan Registered Nurses' Association, a registered nurse who is entitled pursuant to *The Registered Nurses Act, 1988* to practise in the nurse practitioner category may prescribe any drug listed in Schedule I, II or III that is intended for the purpose of treating humans.

7 May 2004 SR 20/2004 s4.

Prescription privileges – midwife

9.3 Subject to the *Controlled Drugs and Substances Act* (Canada), *The Midwifery Act*, *The Midwifery Regulations*, the bylaws of the Saskatchewan College of Midwives and any terms or conditions in his or her licence, a midwife who is entitled pursuant to *The Midwifery Act* to practise midwifery may prescribe any drug listed in Schedule I, II or III that is intended for the purpose of providing midwifery care.

21 Sep 2007 SR 83/2007 s4.

R.R.S. c.P-9.1 Reg 1 repealed

10 *The Drug Schedules Regulations* are repealed.

1 Aug 97 cP-9.1 Reg 2 s10.

Coming into force

11(1) Subject to subsections (2), (3) and (4), these regulations come into force on the day on which section 1 of *The Pharmacy Act, 1996* comes into force.

(2) If section 1 of *The Pharmacy Act, 1996* comes into force before these regulations are filed with the Registrar of Regulations, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

(3) Subject to subsection (4), section 8 comes into force on the day on which sections 8 and 9 of *The Optometry and Ophthalmic Dispensers Professions Amendment Act, 1996* comes into force.

(4) If sections 8 and 9 of *The Optometry and Ophthalmic Dispensers Professions Amendment Act, 1996* come into force before these regulations are filed with the Registrar of Regulations, section 8 comes into force on the day on which they are filed with the Registrar of Regulations.