



DÁIL ÉIREANN

**AN BILLE UM BORD LEIGHEASRA NA hÉIREANN
(FORÁLACHA ILGHNÉITHEACHA) 2005
IRISH MEDICINES BOARD (MISCELLANEOUS
PROVISIONS) BILL 2005**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

DÁIL ÉIREANN

AN BILLE UM BORD LEIGHEASRA NA hÉIREANN (FORÁLACHA ILGHNÉITHEACHA) 2005 —AN TUARASCÁIL

IRISH MEDICINES BOARD (MISCELLANEOUS PROVISIONS) BILL 2005 —REPORT

Leasuithe Amendments

1. In page 5, to delete lines 31 to 33 and substitute the following:

“(5) The Health Acts 1947 to 2005 and *Part 5* may be cited together as the Health Acts 1947 to 2006 and shall be construed together as one.”.

—An Tánaiste agus Aire Sláinte agus Leanaí.

2. In page 5, to delete lines 31 to 33 and substitute the following:

“(5) The Health Acts 1947 to 2001, the Health (Amendment) Act 2004, the Health Act 2004, the Health (Amendment) Act 2005 and *Part 5* may be cited together as the Health Acts 1947 to 2006 and shall be construed together as one.”.

—Liz McManus.

3. In page 6, between lines 10 and 11, to insert the following:

“Index linked fines. 3.—The Minister may, upon the coming into effect of this section, having regard to—

(a) changes in the value of money generally in the State since the passing of this Act or the last previous exercise of the power under this section, and

(b) the need to ensure the continued effectiveness of the fines under this Act with respect to the enforcement of the provisions of this Act,

by order amend any section by substituting for the amount standing specified for a fine in those provisions for the time being, an amount that is greater than that amount.”.

—Liam Twomey.

4. In page 6, line 34, after “section,” to insert the following:

“and subject to such requirements as may be prescribed by the Minister making consequential provision for any one or more of the following:

(I) the certification or licensing of premises on which services are provided by a person referred to in subparagraphs (i) or (ii);

- (II) inspection, quality assurance and enforcement issues in respect of such persons;
 - (III) co-operation between statutory bodies having functions in respect of such persons;
 - (IV) regulation of professional training and development of such persons;
 - (V) development of effective medicines management;
 - (VI) any other matter that appears to the Minister to be incidental or conducive to the proper functioning of the prescribing régime;”.
- Liz McManus.

5. In page 6, after line 40, to insert the following:

- “(iii) registered pharmacists, who are members of the Pharmaceutical Society of Ireland,”.
- Liam Twomey.

6. In page 6, after line 40, to insert the following:

- “(iii) paramedical staff—
- (I) who are in the employ of the State, either directly or indirectly through the Health Services Executive or a Local Authority, and
 - (II) whose position could be described as one that would require the ability to prescribe medicinal products from time to time, and
 - (III) who have undergone such training as may be deemed necessary by the Minister from time to time,”.
- Liam Twomey.

7. In page 7, between lines 2 and 3, to insert the following:

- “(b) in subsection (1), by inserting the following new paragraph (g):
- “(g) to make it the responsibility of the Chief Executive Officer of the hospital to which a staff member referred to in paragraph (j) is attached, to ensure that that staff member has received the requisite training and education to allow him or her to fulfil his or her duties in accordance with the terms of this Act,”.
- Liam Twomey.

8. In page 8, to delete lines 6 to 8 and substitute the following:

- “(b) in the case of a body corporate, the Chief Executive Officer of that body.”.
- Liam Twomey.

9. In page 29, between lines 42 and 43, to insert the following:

“Offence of posting medicinal products.

- 18.—(1) It shall be an offence—

- (a) for any person or body corporate to send or cause to be sent by use of the ordinary postal service, any medicinal product, where the sale of such a medicinal product is concerned, or where there is financial reward for the person or body corporate so sending the medicinal product, or
- (b) for any person to order or take delivery, within this jurisdiction, of a medicinal product referred to in this subsection.

(2) Where a person is guilty of an offence under *subsection (1)(a)*, he shall be liable to a fine of up to €3,000, or up to twelve months in prison, or both.

(3) Where a person is guilty of an offence under *subsection (1)(b)*, he shall be liable to a fine of up to €1,000, or up to three months in prison, or both.”

—Liam Twomey.

10. In page 30, lines 7 and 8, to delete “ACTS 1995 AND 2006” and substitute the following:

“ACT 1995 (AS AMENDED BY THE IRISH MEDICINES BOARD
(MISCELLANEOUS PROVISIONS) ACT 2006)”.

—An Tánaiste agus Aire Sláinte agus Leanaí.

11. In page 30, lines 12 and 13, to delete all words from and including “*Irish*” in line 12 down to and including “2006” in line 13 and substitute the following:

“Irish Medicines Board Act 1995 (as amended by *section 17* of the *Irish Medicines Board (Miscellaneous Provisions) Act 2006*)”.

—An Tánaiste agus Aire Sláinte agus Leanaí.

12. In page 36, line 10, after “examination” to insert “, including dental health examination,”.

—Liam Twomey.

13. In page 36, line 11, to delete “primary”.

—Liam Twomey.

14. In page 36, line 11, after “home” to insert “up to and including secondary level”.

—Liam Twomey.