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**Published on the website on May 2024**

**Legislative Decree No. (23) of 2022 amending Some Provisions of Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmaceutical Centres**

We Hamad bin Isa Al Khalifa King of the Kingdom of Bahrain.

Having reviewed the Constitution;

Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmacy Centres, as amended by Legislative Decree No. (20) of 2015;

Law No. (15) of 2007 regarding Narcotic Drugs and Psychotropic Substances;

And Law No. (38) of 2009 Establishing the National Health Regulatory Authority as amended by the Legislative Decree No. (32) of 2015;

The Shura Council and the Council of Representatives have approved the following law, which we have ratified and enacted:

**Article One**

The definition of (Board of Directors) mentioned in Article (1) of Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmacy Centres shall be replaced with the following definition:

**Council:** Supreme Health Council.

**Article Two**

The word (Board) shall be replaced with the phrase (Board of Directors) wherever it appears in Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmacy Centres.

**Article Three**

The texts of the Articles (79, first paragraph), (80), (81), (93), (94), (95), (96), (99) and (99 bis) of the Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmacy Centres shall be replaced with the following texts:

**Article (79) First Paragraph:**

Except for over-the-counter medications and pharmaceutical preparations that are dispensed without a prescription, determined by a decision from the Council, prescriptions shall be issued by a licensed physician or dentist in the Kingdom of Bahrain. The prescription shall include their name, address, signature, and the date of issuance.

**Article (80):**

It is prohibited to dispense any prescription containing controlled medicines unless they are written on special prescriptions that meet the conditions provided for in Article (23) of Law No. (15) of 2007 regarding Narcotic Drugs and Psychotropic Substances.

Likewise, it shall be prohibited to dispense any prescription containing medicines subject to partial control unless they are written on special prescriptions issued by the relevant authority, specifying their details.

Only a legal pharmacist may interfere with the preparation, dispensing or sale to the public of prescriptions containing controlled or partially controlled medicines.

**Article (81):**

Dispensing controlled or partially controlled medicines shall only permissible by a registered pharmacist, in accordance with the terms and procedures set by the Council. A register of incoming and outgoing quantities, date of dispensing, and the name of the physician who issued the prescription for these medicines shall be maintained in the pharmacy centre. The prescription shall be kept for five years after being dispensed, and it shall be marked with the dispensing date, signed by the pharmacist and stamped with the pharmacy's seal.

**Article (93):**

a- A penalty of at least one year of imprisonment and a fine of not less than five thousand dinars and not exceeding ten thousand dinars or either of these two penalties, and the closure of the store in which the offence occurred and the confiscation of all the materials and equipment it contains, whoever:

1- Established or managed a pharmaceutical centre of pharmaceutical products store without a license, or established or operated a drug and pharmaceutical product factory without obtaining the certificate referred to in Article (45) of this Law.

2- Provided incorrect data or resorted to illegal methods that unlawfully result in obtaining a license to establish a pharmacy centre or a location to store medicines and pharmaceutical products outside the pharmaceutical centre or obtained the certificate referred to in Article (45) of this Law.

3- Stored medicines or pharmaceutical products outside a pharmaceutical centre in an unauthorized location.

4- Sold or offered for sale an expired medicine or pharmaceutical product.

b- Whoever violates the provisions of Article (53) of this Law shall be punished by imprisonment for a period of not less than one year and a fine of not less than five thousand dinars and not exceeding ten thousand dinars or either of these two penalties. The court may close the store where the violation occurred and confiscate the materials and equipment.

c- In all cases, the Authority shall administratively close the store where the violation occurred until the criminal lawsuit is decided upon.

**Article (94):**

A penalty of at least one year of imprisonment and a fine of not less than three thousand dinars and not exceeding ten thousand dinars or either of these two penalties shall be imposed on whoever:

1- Practised a profession without a license required by this law to be licensed.

2- Provided false data or resorted to illegitimate means resulting in being granted a license to practice one of the professions provided for in this Law without justification.

3- Any pharmacist who allowed an unauthorized person to practise the profession of pharmacy under his name.

3- Caused obstruction or hindrance to the work of the inspectors of the authority or any investigation that the authority is conducting.

5- Engaged in the trade of medicines or pharmaceutical products without a license.

**Article (95):**

A penalty of at least one year of imprisonment and a fine of not less than five thousand dinars and not exceeding ten thousand dinars or either of these two penalties shall be imposed on whoever:

1- Obtained or offered with the intention to sell medicines or pharmaceutical products not registered in the records and registers of the authority.

2- Sold medicines or pharmaceutical products at a price exceeding the official prices set for them.

3- Offered with the intention to sell, sold, or obtained medicines subject to partial control without obtaining a license.

4- Prescribed or dispensed medicines subject to partial control in violation of the conditions and procedures determined by the Board.

**Article (96):**

A fine of not less than five thousand dinars and not exceeding ten thousand dinars shall be imposed on whoever:

1- Kept in a pharmacy or in establishments medicines, pharmaceutical products, or health foods without being licensed to trade within the limits of the granted license according to the provisions of this Law.

2- Distributed medicines or pharmaceutical products for free in violation of the provisions of this Law.

3- Imported medicines or pharmaceutical products in violation of the provisions of Article (57) of this Law.

4- Refused to provide the authority, upon its request, with any data or provided false data related to the sale or distribution of pharmaceutical products.

5- Violated the provisions of Article (76) of this Law.

6- Any legal pharmacist who violated the provisions of Article (84) of this Law.

In addition, any person who imports medicines or pharmaceutical products in violation of the provisions of Article (58) of this Law shall be punished by a fine not exceeding one hundred dinars.

**Article (99):**

Without prejudice to criminal or civil liability, the committee may impose the following disciplinary penalties in the event of a violation of the provisions of this Law, the decisions issued in implementation thereof or the principles and requirements of professional ethics. These penalties shall be as follows:

1- Warning.

2- Suspension from work for a period not exceeding one year.

3- Revocation of the license to practice the profession and removal of the violator's name from the authority's register.

**Article (99 bis):**

Without prejudice to the criminal or civil liability, and taking into account the provisions of Articles (98) and (99) of this Law, the Committee may impose the following penalties for the pharmaceutical centres, pharmaceutical facilities, factories and warehouses that prove their violation of the provisions of this Law and the decisions issued in implementation thereof:

1- Warning.

2- Financial fine not less than two thousand dinars and not exceeding ten thousand dinars.

3- Closure for a period not exceeding one year.

4- Revocation of the pharmacy's or pharmaceutical establishment's license, as well as factories and warehouses, permanently, and removal of the name from the authority's register.

When determining the fine, the severity of the violation, the intent of the violator, the benefits obtained, and the harm caused to others as a result shall be taken into consideration.

**Article Four**

The following definitions shall be added to Article (1) of Legislative Decree No. (18) of 1997 regarding the Regulation of the Pharmacy Profession and Pharmaceutical Centres:

**Pharmaceutical preparations:** Any medicine or health product that contains one or more active substances from a herbal, natural or chemical source, intended to enhance or maintain the vital functions of the body without being intended for the treatment or prevention of a disease, or a compound subject to regulation.

**Medicines subject to control:** Medicines containing one or more substances of narcotics drugs, psychotropic substances or primary materials listed in the schedules attached to Law No. (15) of 2007 regarding Narcotic Drugs and Psychotropic Substances.

**Medicines subject to partial control:** Medicines that do not contain any substances of narcotics, psychotropic substances, or primary materials listed in the schedules attached to Law No. (15) of 2007 regarding Narcotic Drugs and Psychotropic Substances, and can be misused for purposes other than those for which they were manufactured, as determined by a decision from the authority.

**Article Five**

The Prime Minister and the ministers - each within his jurisdiction - shall implement the provisions of this Law, and it shall come into force from the day following the date of its publication in the Official Gazette.

**King of the Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

Issued at Riffa palace:

On: 15 Dhu al-Qi'dah 1443 A.H.

Corresponding to: 14 June 2022