

PHARMACY ACT

R-043-2025

Registered with the Chief Legislative Counsel

2025-09-18

DRUG SCHEDULES REGULATIONS, amendment

The Minister, under section 27 and subsection 28(1) of the *Pharmacy Act*, and every enabling power, makes the annexed amendments to the *Drug Schedules Regulations*.

1. These regulations amend the *Drug Schedules Regulations*.

2. Sections 1 and 2 are repealed and replaced by the following:

1. (1) In these regulations,

"authorized health care professional" means any of the following acting in their professional capacity:

- (a) a medical practitioner,
- (b) a pharmaceutical chemist,
- (c) a veterinary surgeon,
- (d) a dentist,
- (e) a nurse registered under the *Nursing Professions Act*,
- (f) a registered midwife; (*professionnel de la santé habilité*)

"National Drug Schedules" means the National Drug Schedules established by the National Association of Pharmacy Regulatory Authorities; (*annexes nationales de médicaments*)

"prescription" means a prescription made in writing, verbally, by facsimile or by electronic means that are secure and encrypted by a person authorized by law in Nunavut, a province or other territory to make the prescription; (*ordonnance*)

"Schedule I" means Schedule I of the National Drug Schedules; (*annexe I*)

"Schedule II" means Schedule II of the National Drug Schedules as modified for Nunavut under section 2; (*annexe II*)

"Schedule III" means Schedule III of the National Drug Schedules. (*annexe III*)

(2) For the purposes of the Act and these regulations, a person is deemed to be under the supervision of a pharmaceutical chemist if

- (a) the pharmaceutical chemist has authorized the supervision; and
- (b) the pharmaceutical chemist is available for assistance and consultation in person, by telephone or by secure and encrypted electronic means that allow for simultaneous voice communication.

2. (1) Subject to this section, the National Drug Schedules are adopted as amended from time to time under section 28 of the Act.

(2) Schedule II of the National Drug Schedules adopted under subsection (1) is modified for Nunavut by removing the following substances:

- (a) naloxone hydrochloride nasal spray, when indicated for emergency use for opioid overdose; and
- (b) naloxone hydrochloride injection, when indicated for emergency use for opioid overdose.

2. The following provisions are amended by replacing "direct personal supervision" with "supervision" wherever it appears:

- (a) section 4;**
- (b) paragraph 5(c).**

3. The following provisions are amended by adding "or a person under the supervision of a pharmaceutical chemist" after "pharmaceutical chemist" wherever it appears:

- (a) the portion of section 5 preceding paragraph (a);**
- (b) paragraph 5(b);**
- (c) the portion of section 6 preceding paragraph (a);**
- (d) section 9.**

4. Paragraph 6(b) is repealed and replaced by the following:

- (b) not open to the public when a pharmaceutical chemist is not present.

5. Section 7 is repealed and replaced by the following:

7. (1) A pharmaceutical chemist may supply a substance
- (a) included in Schedule I, II or III to a person named in a prescription for the substance or their agent;
 - (b) included in Schedule I, II or III to an authorized health care professional with a prescription for the substance; or
 - (c) included in Schedule I to an authorized health care professional without a prescription for the substance.
- (2) A person under the supervision of a pharmaceutical chemist may supply a substance
- (a) included in Schedule I, II or III to
 - (i) a person named in a prescription for the substance or their agent if
 - (A) a pharmaceutical chemist is present and available for consultation with the person named in the prescription for the substance or their agent, and
 - (B) a pharmaceutical chemist has verified the preparation, packaging and labelling of the substance in person or by secure and encrypted videoconference, or

- (ii) an authorized health care professional with a prescription for the substance if
 - (A) a pharmaceutical chemist is available for consultation with the authorized health care professional in person, by telephone or by secure and encrypted electronic means that allow for simultaneous voice communication, and
 - (B) a pharmaceutical chemist has verified the preparation, packaging and labelling of the substance in person or by secure and encrypted videoconference; or
- (b) included in Schedule I to an authorized health care professional without a prescription for the substance if
 - (i) a pharmaceutical chemist is available for consultation with the authorized health care professional in person, by telephone or by secure and encrypted electronic means that allow for simultaneous voice communication, and
 - (ii) if the substance has been repackaged, a pharmaceutical chemist has verified the preparation, packaging and labelling of the substance in person or by secure and encrypted videoconference.

6. Section 8 is repealed.

7. Section 9 is amended

- (a) **in the English version, by replacing "oral prescription" with "verbal prescription";**
- (b) **by repealing and replacing subparagraphs (a)(i) and (ii) with the following:**
 - (i) the person providing the verbal prescription is authorized by law in Nunavut, a province or other territory to prescribe the substance, and
 - (ii) the person to whom the substance is delivered is
 - (A) the person named in the prescription or their agent, or
 - (B) an authorized health care professional; and

8. Sections 10 to 11 are repealed and replaced by the following:

- 10. A substance included in Schedule II may be supplied to
 - (a) an authorized health care professional without a prescription
 - (i) by a pharmaceutical chemist, or
 - (ii) by a person under the supervision of a pharmaceutical chemist, if a pharmaceutical chemist is available for consultation with the authorized health care professional in person, by telephone or by secure and encrypted electronic means that allow for simultaneous voice communication; or
 - (b) any other person without a prescription
 - (i) by a pharmaceutical chemist, or

- (ii) by a person under the supervision of a pharmaceutical chemist if
 - (A) the pharmaceutical chemist is present and available for consultation with the person, and
 - (B) the supply of the substance has been authorized by the pharmaceutical chemist.
- 11. A substance included in Schedule III may be supplied to
 - (a) an authorized health care professional without a prescription
 - (i) if a pharmaceutical chemist or a person under the supervision of a pharmaceutical chemist is present, and
 - (ii) if a pharmaceutical chemist is available for consultation with the authorized health care professional in person, by telephone or by secure and encrypted electronic means that allow for simultaneous voice communication; and
 - (b) any other person without a prescription if a pharmaceutical chemist is present and available for consultation.