



KINGDOM OF CAMBODIA
NATION RELIGION KING



Royal Government of Cambodia
No. 33 ANK/BK

Sub Decree
on
Code of Ethics for Pharmacists



THE ROYAL GOVERNMENT

- Having seen the Constitution of the Kingdom of Cambodia;
- Having seen the Royal decree NS/RKT/0913/903 dated 24 September, 2013 on the appointment of the Royal Government of the Kingdom of Cambodia;
- Having seen the Royal decree NS/RKT/1213/1393 dated 21 December, 2013, on the revision and supplement of the Governmental Compositions of the Kingdom of Cambodia;
- Having seen the Royal Kram No. 02/NS/94 dated 20 July, 1994, promulgated Law on Organizing and Functioning of the Council of Ministers;
- Having seen the Royal Kram NS/RKM/0196/06 dated 24 January, 1996 promulgated the Law on Establishment of the Ministry of Health;
- Having seen Royal Kram NS/RKT/0696/02, dated 17 June 1996 promulgated the Law on Pharmaceutical Management;
- Having seen the Royal Kram NS/RKT/1207/037, dated 28 December, 2007 promulgated the Law on Amendment of the Law on Pharmaceutical Management;
- Having seen the Royal Kram NS/RKM/1100/10 , dated 3rd November, 2000 promulgated the Law on the Management of Private Medical, Paramedical, Medical Aide Profession;
- Having seen the Royal decree NS/RKT/0210/162, dated 16 February, 2010 on the establishment of Cambodian Council of Pharmacists;
- Having seen Sub-decree 67 ANK.BK dated 22 October, 1997 on the organizing and functioning of the Ministry of Health;
- Having seen the endorsement of Council of Ministers' Plenary Session on 10 January, 20---; (Cannot see, the copy was too dark with the wed seal)

HEREBY DECIDES:

CHAPTER I
General Provisions

Article 1:

This Sub-decree aims to promote the professional conscience, spirit of responsibility with dignity and honor and to respect the law when practice pharmaceutical profession for people's wellbeing.

Article 2:

The objective of this Sub-decree is to determine on the provisions of the code of ethics for pharmaceutical profession in the Kingdom of Cambodia.

Article 3:

The scope of this Sub-decree shall cover every pharmacist who is authorized by the Ministry of Health to practice pharmaceutical profession.

Article 4:

The definitions of key terminologies that are used in this Sub-decree are asfollowing:

Pharmaceutical Professional Practice: refers to the profession practice that related to managing, studying, researching, training, storing, manufacturing, distributing, import and export, quality control, commercializing and pharmaceutical advertisement, medical tools, cosmetics producers, and professional practice relating to paramedic laboratory.

Dissemination of Medicine: refers to any activity relating to the provision of medicines must be undoubtedly explained the patient(s) or client(s).

Pharmaceutical Establishment: refers to the facility where pharmacists perform their job or take responsibilities such as drugs manufacturing establishment, drugs importing establishment, drugs importing and distributing store, drugs exporting enterprise, drugs outlet(s), drugs store, and sub drugs store.

Pharmacist: refers to a legal person who holds pharmacy diploma issued by the Ministry of Health or the Ministry of Education, Youth, and Sports or pharmacy certificate issued by academic institutions that are acknowledged by Accreditation Council of Cambodia.

CHAPTER II

General Duties of Pharmacists

Article 5: When applying his professional practice, pharmacists shall have to respect human's life and human's dignity.

Article 6:

In any circumstance, pharmacists shall practice their profession independently and must respect human's life and human's dignity when making decision that are relating to pharmacological profession and paramedic.

Article 7:

Pharmacists shall participate in all activities required by health authority for well-being of the people and society.

Article 8:

Under any circumstances, pharmacists shall not dispose any action which affects public health. Pharmacist shall participate in preventing deception; especially pharmacist must avoid producing, distributing, and trading counterfeit and sub-standard drugs, expired or restricted drugs.

Article 9:

Pharmacists shall notify the Cambodian Pharmacist Council (CPC) on the opening, the closing, relocating of facility, change of the responsible pharmacists, change of capital or owner, temporary or permanently stop the business, or discontinuing to be responsible for pharmaceutical enterprise/establishment.

Article 10:

The pharmacists shall confirm in writing that he/she has read the Code of Ethics for Pharmacists and promised to comply with it accordingly when requesting for registration as member of the Cambodian Pharmacist Council (CPC),

Article 11:

Pharmacist shall attend professional activities organized by Cambodian Pharmacist Council (CPC).

Article 12:

To ensure the quality of service delivery, the pharmacist who manages pharmaceutical establishment or paramedic laboratory shall organize its premises of both internal and external facilities in compliance with technical standard.

Article 13:

Pharmacist shall pay full attention with care when practice her/his profession, by strictly comply with the regulation and laws relating to pharmaceutical profession.

Under any circumstances, pharmacists must honestly behave in a proper manner with dignity. Pharmacists shall avoid any activity that may discredit his/her profession although his/her activity is not involved her/her professional practice.

Article 14:

Pharmacists shall have duty to improve their professional knowledge to a certain better off quality to meet the evolution of scientific development; particularly pharmacist shall have to attend a continuous training program on health accredited by Cambodia Pharmacist Council (CPC).

Article 15:

Pharmacists shall comply with their professional code of ethics before signing of any agreement contract, or employment contract, or collective bargaining agreement with development partner association and or production unit, commercial unit, advertisement unit either with pharmaceutical information unit or pharmaceutical distribution unit;

Article 16:

Pharmacist shall not accept any tip of his/her service if the accepted tip may affect the independence of their professional practice, the quality of pharmaceuticals or services. Strictly prohibit the acceptance or request for or impose the demand for remuneration that is not proportional to their scope of works and responsibility.

Article 17:

Pharmacists shall take responsibility before the law on all activities that are under his/her management even though the activities that are performed by his/her co-colleagues/subordinates and make sure that his/her subordinates comply with provisions of the law, regulations as well as the duties and obligation as stated in this Sub-decree.

Article 18:

In every pharmaceutical facility, the pharmacist who is managing pharmaceutical assistant(s) or alternate pharmacist(s) shall ensure that his/her assistant or alternate pharmacists registered with the Council of Pharmacist. The pharmaceutical assistant(s) or alternate pharmacist(s) and the staff must genuinely devote for their work.

Article 19:

Pharmacist(s) who either work for public or private pharmaceutical facility accredited by the Ministry of Health as internship facility shall focus as the followings:

- Reserve sufficient time for coaching;

- Facility for authentic instruction and practice;
- Orient internship students to understand the value of their profession and respect the code of ethics;
- Instruct internship to understand and respect their obligations like the pharmacists of the facility do;
- Conduct virtue and accuracy of performance evaluation for all internship-students;

Article 20:

Pharmacists should use his/her personal capital for operation of his/her pharmaceutical services or business and paramedic services rather than taking responsibility on technical profession for, or in the name of the owner of the capital.

Article 21:

Pharmacists shall respect good practice principles as stated in the code of each profession, and shall not fall into trade-stratagem that may affect the reputation of the pharmaceutical profession.

Article 22:

Pharmacists shall participate in promoting and building good environmental system and avoiding any activity that may damage environment, especially pharmacist must be actively participate in collecting and eliminating counterfeit drugs, sub-standard drugs, and expiry date of drugs, or **prohibition not to use**.

Article 23:

Pharmacists shall keep good collaboration with, by building trust, with competence authority and shall facilitate any inspection or audition mission of drug inspection authority or drug inspector(s).

CHAPTER III

Particular Duty of Pharmacist

Article 24:

Pharmacist has the rights to be responsible for technical management of professional practice for one facility only.

Professional pharmaceutical practice is incompatible with other health professions even though the pharmacist has another professional diploma.

Article 25:

Pharmacists need to develop a proper sign with name of the drugs shop/store

that make ease for customer to read.

The sign must be named the responsible person and the address.

Article 26:

Any clinical activity, consulting, treatment including posting of clinical treatment sign are prohibited in the drugs store/shop.

Article 27:

Pharmacists shall have the duties as follow:

- be present at the drugs store/shop during working hours or during worked hours that are required by the Ministry of Health or by the Council of Pharmacists;
- by the law alternate is required to be present at the drugs store/shop; in case of absence of the responsible pharmacist,
- The drugs store/shop's (**responsible pharmacist**) shall have to be on duty either at night time or on public holidays organized by the Capital-Provincial Health Department or Capital-Provincial Board of Council of Pharmacists;
- Comply with all principles (guidelines) and regulations on drugs store/shop;
- Publicize to the public about schedule for pharmacist on duty.

Article 28:

Pharmacy manager of public or private hospitals or non-government organizations' hospital shall be a registered pharmacist of the Cambodian Council of Pharmacists.

Pharmacists who work in the pharmacy of public or private hospitals or non-government organizations' hospital shall serve the services of that public or private hospital only.

Article 29:

Pharmacy manager of a public or private hospital or non-government organizations' hospital shall have duties to supply, *formulation of ingredients of drug*, the storage of drugs, examination, and distribution of all health products. Pharmacist need to involve in quality control and safety of treatment, clinical practice, monitoring pharmaceutical defect, and collecting substandard/mal medicines from the markets.

Article 30:

Pharmacist shall provide medicines following the doctor's prescription or at the requests of the patient, and must think about the best interest of the patient. When necessary, pharmacist shall advise patient to consult with the doctor. Pharmacists shall not use economic and financial status and personality of the patient as an obstacle to the provision of medicines.

Article 31:

When necessary, or during on duty, the pharmacist may provide alternate drug to client following the principles on alternate medicines.

Article 32:

If there is any doubt, pharmacist shall, be first, discuss with doctor who issued the prescription such as name or type of drug, usage or dose, non-efficacy of the medicine, or its reaction or interaction.

Article 33:

When provide medicine(s) to patient, pharmacist shall guarantee with the followings:

- Analyzing the drugs as prescribed on the prescription;
- Provide drugs to patients in accordance with the principles of good practice as defined by the Ministry of Health;
- Provide necessary advice and informing for the correct use of medicines such as its efficiency, inefficient, precaution, and the explanation shall not have bad impact and loss of confidence with the treatment physicians.

Article 34:

In case that patient uses the medicines by his owned will, the pharmacist shall have to stop him from abusing the use of drugs, and advise the patient about the negative impact of the drugs-use. When necessary the patient is advised to consult with the physician.

Article 35:

To respect the rights of patient and his/her interest, pharmacist shall have to explain and advise about the medicine that s/he knows only. To get better understanding of any type of medicines, pharmacist shall not solely depend upon the document issued by pharmaceutical production enterprise.

Article 36:

Pharmacist or his/her alternate shall be self-responsible and guaranteeing all

distribution of medicines in accordance with the principles of good practice.

Article 37:

The name of the pharmacist who is responsible on a technical management of a private paramedic laboratory shall be put on the badge of that private lab.

Article 38:

Pharmacist of a laboratory shall not analyze unnecessary diagnostic for making benefit from his/her client. The pharmacists of a laboratory may refuse by giving explanation to his/her client if the request for diagnostic may have bad impact over the benefit of the client or it does not conform to the law.

Article 39:

Manufacture, import, export, wholesale of drugs, medical tools and practitioner who operate within or through pharmaceutical manufacturing establishment, facility of imported drugs, facility for importing and distributing of drugs, facility for exporting of drugs and pharmaceutical wholesale facility shall be under the responsibility of the pharmacist.

Article 40:

Selling of medicines, medical tools, and practitioner who provide health care services without legal permit, and any distribution of drugs that do not conform to the health system determined by Ministry of Health or the Cambodian Council of Pharmacist shall be absolutely prohibited.

Article 41:

Pharmacist shall select his/her supplier of pharmaceuticals, medical tools, and the practitioner by considering about the quality of the service and sustainability of the supply.

Article 42:

Pharmacist, who manages pharmaceutical manufacturing establishment, pharmaceutical imported establishment, establishment for importation and distribution of drugs, exporting establishment, and drugs wholesale facility, shall be responsible for technical matters that are related to all activities of that establishment such as activities in manufacturing, distributing, advertisement of pharmaceutical products, monitoring the efficacy of the medicines, withdrawal of medicines from the markets, importing, exporting activities, and storing of drugs.

Article 43:

Pharmacist who agrees to practice his/her profession under the contracting

service or agree to work for the state's institution, the national or international organizations, or private entities or collective organization shall comply with the confidentiality and independence of profession.

Pharmacist shall not receive or be obliged, limit his/her freedom of professional practice by any physical person, legal entity or organization that employs hi/m/her. Pharmacist shall use his/her profession for the benefit of public health as well as for the interest and safety for her/her colleagues or those who are working together with them in the same organization.

Article 44:

For pharmaceutical professional practices, either this professional practice is for the pharmacy, enterprise, collective facility, institutions which are operating under the labor law shall be practice under a written contract. This contract shall be clearly specified the duties of the party in accordance with labor law of the Kingdom Cambodia and make a copy for the Cambodian Council of Pharmacists for information and archive.

Article 45:

The pharmacist who has monthly salary, shall not receive any prize because of his standard of production or products or services or other managements that may lose his/her independence and professional quality or may affect his/her quality of service or products that may cause consequence to public health.

Article 46:

All kinds of education or dissemination of general information or advertisement of pharmaceutical products to public under any circumstances that made by pharmacist shall comply with technical standard, particularly advertisement of the pharmaceutical products shall be approved by the Ministry of Health.

Article 47:

In the case that the pharmacist wants to provide information or education that are relating to pharmaceuticals or public health, the pharmacists shall clearly explain all the related causes of the medicines. Pharmacist shall not make any propaganda which obtains his/her personal interest or for the benefit of his/her enterprise that s/he is employed ,or supports or for the purpose which does not serve public interest; and the pharmacist must be precaution for any repercussion of his advertisement.

Article 48:

Pharmacist who distributes or promotes pharmaceutical products that has no legal permit but for his/her personal benefit or for supporting the enterprise are prohibited, although the distribution shall benefit the public health.

Article 49:

When the pharmacist makes presentation or advertisement of scientific information relating to health science and pharmaceutical products, pharmacist shall have to explain them the correct use of the drugs and avoidance any information which deceive and exaggerate the people.

Article 50:

Pharmacist must avoid using any mean to attract clients that may have bad impact on the honor and dignity of the health profession although those means have not been provided in any provision of the existing laws.

Pharmacist shall avoid all kinds of dishonest competition.

Article 51:

Pharmacist shall advertise pharmaceutical products in dignified behaviors and respect patients' interest; and must comply with the principles of advertisement and shall not convince client to use the medicines.

Article 52:

Pharmacists are prohibited not to provide any prize to anyone who practices his/her pharmaceutical or medical profession or other health professionals by motivating them to use the medicines.

Article 53:

Pharmacist shall not hamper client from choosing health service facility or pharmaceutical business or paramedical services that client is found of.

Pharmacist shall not facilitate any health professional person who practice his profession illegally or shall not facilitate patients to obtain benefit from illegal professional practice, such as increase the price in the receipt of medical treatment or issue the medical certificate following the request of the patient.

Article 54:

Pharmacist, who is entitled to a position of either levels or having an honorary title, shall not use those position or honorary titles for vaunting or attraction of clients. Pharmacist may use his/her name together with his/her professional or technical diploma obtaining from medical/health training centers and or institution.

Article 55:

Pharmacist shall charge service fee pursuant to the price index determined by Ministry of Health or by the Cambodian Council of Pharmacists. Any practices tend to reduce the price of medicines for competition purpose is prohibited, but pharmacist shall have rights to provide medicines free of charge.

Article 56:

Pharmacist, who in charge of monitoring and inspecting over pharmaceutical profession shall perform independent duty, the pharmacist shall not be authorized to monitor and inspect his/her own enterprise or spouse's or direct-bloodline's or third-bloodline's of family-lines or enterprise that s/he has related duty or being benefited with involved pharmacist.

Article 57:

Pharmacist who in charge of monitoring and inspecting shall:

- inform the representative of the facility/establishment that is the subject to be inspected, about his/her mission and provisions of the law and limitation of the mission;
- make a fair conclusion without bias when fulfilling the duty;
- Keep confidentiality and must not disclose to public about his/her missions;

Chapter 4

Duties of the pharmacist toward patient(s) and Client(s)

Article 58:

Pharmacist shall behave appropriately and take care of patients and client without discrimination. To have effective treatment, pharmacist may explain patient to follow the prescription. Pharmacist must respect the rights of the patient in choosing the pharmacy (drug shop) and respect the willingness of the patients in purchasing medicines.

Article 59:

Before the incident that has patients or injured or victim, pharmacist shall take any possible mean to knowledge assist them.

Article 60:

Pharmacist shall behave in a pleasant manner with patients and client, listen to their comments or requests, and provide facilitation for a confidential communication, and keep confidentiality of patients. The explanation of pharmacist toward patients and client must be specific, correct, not too complicated, and easy to understand.

Article 61:

Pharmacist shall keep professional confidentiality, respect code of ethics, patient's embarrassment and confidentiality.

Pharmacist shall not disclose confidentiality that has been aware of, or having seen diagnosis or prescription or medical record of the patient to the third person or

public, unless otherwise, stipulated by the law or it is required to disclose the said confidentiality.

Article 62:

Pharmacist shall strive to assist patients to access health benefit which is the rights of citizens.

Article 63:

Pharmacists may give patients the suitable drugs for treatment when s/he believes that the disease is curable, however, patients are advised to consult with physicians.

Article 64:

When pharmacist provide presentation or advertise to public, pharmacist shall not, at any time, disclose the patient's descriptions or identification.

Chapter 5

Pharmacists and their Colleagues:

Pharmacists and Other Health Professionals

Article 65:

Pharmacists shall keep good collaboration with their professional colleagues and respects each other in the spirit of unity pursuant to the professional code of ethics, and avoidance any criticism one another because of competition purpose. Pharmacists shall help their professional colleagues when they face difficulties.

In case of professional conflict among their professional colleagues, the conflict should be handled in a peaceful spirit of unity.

Article 66:

Pharmacists who manage the pharmacy, or import-export enterprise, and or pharmaceutical production establishment, shall extend his/her support and assistant other pharmacist-assistant or pharmacist-substitute or 5thyear pharmacist-student and regard them as his/her professional colleagues and must not discriminate.

Article 67:

Pharmacists shall obey and keep good relationships with other health professionals, particularly pharmacist shall extend their collaboration, exchange of experience, provide information which is beneficial for human health in the society. Pharmacists shall not discuss anything that may impact the reputation of either a private person or public which annoy other health professionals.

Article 68:

Pharmacist shall not either directly or indirectly collude with other health professionals for obtaining personal interests that may impose more burdens on patients or patients' family.

Chapter 6

Disciplinary Provisions

Article 69:

Disciplinary action shall be imposed by the Cambodian Council of Pharmacists to any pharmacist who does not comply with the provisions of this Sub-decree.

Chapter 7

Final Provisions

Article 70:

Any provision which contraries to this sub-decree shall be annulled.

Article 71:

The Minister in charge of the Council of Ministers, Minister of the Ministry of Economy and Finance, Minister of the Ministry of Health, Ministers of line ministries, and Chairperson of relevant institutions shall implement this Sub-decree accordingly from the date of signature.

Phnom Penh, January 20, 2014

The Prime Minister

Samdech Akka Moha Seina Padei Techo HUN SEN

Receivers:

- *Ministry of Royal Palace*
- *Secretariat General of the Constitutional Council*
- *Secretariat General of the Senate*
- *Secretariat General of the National Assembly*
- *Secretary General of the Royal Government*
- *Cabinet of Samdech Prime Minister*
- *Cabinet of H.E. Deputy Prime Ministers*
- *As mentioned in article 71,*
- *Royal Gazettes*
- *File - archives*