

1990 - No. 13

POISONS ACT 1966 - REGULATION

(Relating to prescriptions)

NEW SOUTH WALES



[Published in Gazette No. 7 of 12 January 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Poisons Act 1966, has been pleased to make the Regulation set forth hereunder.

PETER COLLINS
Minister for Health.

The Poisons Regulations are amended:

- (a) by omitting from Regulation 24 (2) the following matter:

No medical practitioner, dentist or veterinary surgeon shall issue any prescription for any restricted substance unless he complies with the following conditions, that is to say -

- (a) he shall legibly write such prescription in ink and shall in his own handwriting place upon such prescription:

and by inserting instead the following matter:

No medical practitioner, dentist or veterinary surgeon is to issue a prescription for a restricted substance unless the following conditions are complied with:

- (a) the prescription must be written legibly in ink in the handwriting of the medical practitioner, dentist or veterinary surgeon or in such other manner as may be approved in writing by the Director-General either generally or in a particular case, must be signed by the

medical practitioner, dentist or veterinary surgeon and must include the following particulars:

- (b) by omitting from Regulation 24 (2) (a) the words “, and sign such prescription”;
- (c) by inserting after Regulation 24 (2) (a) the following subparagraph:
 - (a1) where a prescription is written other than in the handwriting of the medical practitioner, dentist or veterinary surgeon as provided by subparagraph (a), the prescription must be endorsed with the words “Issued under Poisons Regulation 24 (2) (a)”;
- (d) by omitting Regulation 27 (6) and by inserting instead the following paragraph:

(6) A person must not dispense any prescription for a restricted substance or supply a restricted substance upon any prescription which:

 - (a) is illegible or defaced;
 - (b) appears to be for the purpose of enabling some unauthorised person to obtain a restricted substance;
 - (c) does not appear genuine; or
 - (d) in the case of a prescription which has been written other than in the handwriting of the medical practitioner, dentist or veterinary surgeon, has been altered or is not endorsed with the words “Issued under Poisons Regulation 24 (2) (a)”.
- (e) by omitting from Regulation 62 (2) the following matter:

Where a medical practitioner, dentist or veterinary surgeon issues a prescription for any drug of addiction he shall comply with the following conditions, namely -

 - (a) he shall legibly write such prescription in ink and shall in his own handwriting place on such prescription -

and by inserting instead the following matter:

A medical practitioner, dentist or veterinary surgeon must not issue a prescription for a drug of addiction unless the following conditions are complied with:

 - (a) the prescription must be written legibly in ink in the handwriting of the medical practitioner, dentist or veterinary surgeon or in such other manner as may be

approved in writing by the Director-General either generally or in a particular case, must be signed by the medical practitioner, dentist or veterinary surgeon and must include the following particulars:

- (f) by omitting from Regulation 62 (2) (a) the words “, and sign such prescription”;
- (g) by inserting after Regulation 62 (2) (a) the following subparagraph:
 - (a1) where a prescription is written other than in the handwriting of the medical practitioner, dentist or veterinary surgeon as provided by paragraph (a), the prescription must be endorsed with the words “Issued under Poisons Regulation 62 (2) (a)”;
- (h) by omitting Regulation 64 (5) and by inserting instead the following paragraphs:

(5) No person is to dispense any prescription for a drug of addiction or supply a drug of addiction upon any prescription which:

- (a) is marked “Cancelled”;
- (b) is illegible or defaced;
- (c) appears to be for the purpose of enabling some unauthorised person to obtain a drug of addiction;
- (d) does not appear genuine;
- (e) in the case of a prescription which has been written other than in the handwriting of the medical practitioner, dentist or veterinary surgeon, has been altered or is not endorsed with the words “Issued under Poisons Regulation 62 (2) (a)”;
- (f) bears a date more than 6 months prior to the date on which its dispensing or supply upon prescription is requested.

(5A) Any person to whom a prescription referred to in paragraph (5) (a), (b), (c) or (d) is presented must retain the prescription even though the prescription is not dispensed and must immediately inform a member of the Police Force of the relevant circumstances and that person’s reason for not dispensing the prescription or supplying a drug of addiction upon the prescription.

EXPLANATORY NOTE

The object of this Regulation is to amend the Poisons Regulations so as:

- (a) to enable prescriptions to be written in a manner approved by the Director-General as an alternative to being handwritten; and
 - (b) to require a prescription that is not written in handwriting to contain words indicating under which provision of the Poisons Regulations it is issued; and
 - (c) to prevent persons dispensing certain prescriptions that are not handwritten if they have been altered or are not endorsed with those required words.
-