

1996—No. 190

POISONS ACT 1966—REGULATION

(Relating to the issue of prescriptions for certain amphetamines)

NEW SOUTH WALES



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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.

ANDREW REFSHAUGE
Deputy Premier and Minister for Health.

The Poisons Regulation 1994 is amended:

(a) by omitting clause 85 (2) and by inserting instead the following subclause:

(2) A medical practitioner is authorised to issue a prescription for dexamphetamine or methylphenidate without an authority under section 29 of the Act:

(a) for the purpose of testing the suitability of a person to undergo a course of medical treatment involving the use of such a substance; or

(b) for the purpose of treating a person for attention deficit hyperactivity disorder (ADHD),

so long as the medical practitioner holds an authority to prescribe such a substance.

(b) by omitting clause 93 (2) and by inserting instead the following subclause:

(2) A pharmacist must not supply such a substance on prescription unless:

(a) the authority to issue the prescription (whether given under section 29 of the Act or Part 7 of this Regulation) is attached to the prescription; or

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(b) the reference number of the authority to issue the prescription (whether given under section 29 of the Act or Part 7 of this Regulation) is shown on the prescription.

EXPLANATORY NOTE

The Poisons Act 1996 regulates the issue of prescriptions containing certain amphetamines and the supply of those amphetamines. Presently, a medical practitioner is required to hold an authority from the Director-General of the Department of Health in relation to a particular patient in order to prescribe listed amphetamines to that patient. A pharmacist cannot supply the amphetamine to that patient unless the prescription is accompanied by the medical practitioner's authority or cites the reference number of the authority.

The object of this Regulation is to amend the Poisons Regulation 1994 to allow medical practitioners who have been so authorised by the Director-General to prescribe the stimulant drugs dexamphetamine or methylphenidate for the treatment of persons with Attention Deficit Hyperactivity Disorder (ADHD). An individual authority will not be required for each patient.

This Regulation is made under the Poisons Act 1966, including section 24 (relating to drugs of addiction) and section 45C (the general regulation making power).
