



New South Wales

Poisons and Therapeutic Goods Amendment Regulation 2000

under the

Poisons and Therapeutic Goods Act 1966

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Poisons and Therapeutic Goods Act 1966*.

CRAIG KNOWLES, M.P.,

Minister for Health

Explanatory note

The objects of this Regulation are:

- (a) to modify the controls on the use and supply of Schedule 7 substances so that authorities will not be required to use pesticides or stock medicines or to supply Schedule 7 substances to persons (whether or not scientifically qualified) in charge of laboratories or similar facilities for scientific research, instruction, analysis or study at those facilities,
- (b) to omit the requirement for an applicant for a licence to supply Schedule 2 substances by retail to be certified as being of good character by a police officer,
- (c) to omit unnecessary requirements relating to originals of prescriptions that are no longer required to be sent to the Commonwealth for payment,
- (d) to omit certain residential centres for disabled persons from Appendix F as they no longer require the capacity to hold stock medications,
- (e) to ensure that documents required by the Regulation to be kept in writing are written indelibly,
- (f) to update various references and make revisions of a minor nature to clarify the application of certain provisions.

2000 No 739

Poisons and Therapeutic Goods Amendment Regulation 2000

Explanatory note

This Regulation is made under the *Poisons and Therapeutic Goods Act 1966*, including section 45C (the general regulation-making power).

Poisons and Therapeutic Goods Amendment Regulation 2000

1 Name of Regulation

This Regulation is the *Poisons and Therapeutic Goods Amendment Regulation 2000*.

2 Amendment of Poisons and Therapeutic Goods Regulation 1994

The *Poisons and Therapeutic Goods Regulation 1994* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

2000 No 739

Poisons and Therapeutic Goods Amendment Regulation 2000

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 2)

[1] Clause 20 Schedule 7 Substances to be supplied and used only under an authority

Insert “, or the use by,” after “supply to” in clause 20 (4) (a).

[2] Clause 20 (4) (a)

Omit “1978”. Insert instead “1999”.

[3] Clause 20 (4) (c)

Omit the paragraph. Insert instead:

- (c) the supply of a substance to a person in charge of a laboratory, department or other similar facility for scientific research, instruction, analysis or study in that laboratory, department or facility.

[4] Clause 20 (5) (a)

Omit “Registrar of Pesticides”. Insert instead “Director-General of the Environment Protection Authority”.

[5] Clause 20 (5) (c)

Insert “and Aged Care” after “Health”.

[6] Clause 43 Prescriptions to be endorsed

Omit clause 43 (3).

[7] Clause 44 Prescriptions for certain substances to be kept

Omit clause 44 (3).

[8] Clause 91 Prescriptions to be endorsed

Omit clause 91 (3).

[9] Clause 92 Prescriptions to be kept

Omit clause 92 (3).

[10] Clause 137 Applications for licences

Omit clause 137 (2) (c).

[11] Clause 153 Records generally

Insert “indelibly” after “written” wherever occurring in clause 153 (1).

[12] Appendix F Residential centres for disabled persons

Omit the Appendix. Insert instead:

Appendix F Residential centres for disabled persons

(Dictionary)

Stockton Centre, Stockton.

[13] Appendix G Forms

Omit Form 1. Insert instead:

Form 1 Application for authority to prescribe a drug of addiction

(Poisons and Therapeutic Goods Act 1966, section 29)

The Medical Officer
Pharmaceutical Services Branch
NSW Department of Health

I, Dr Specialty
(Name, as registered, in block letters—surname last)

2000 No 739

Poisons and Therapeutic Goods Amendment Regulation 2000

Schedule 1

Amendments

of
(Full address in block letters) (Postcode)

Telephone: () Fax No: () Prescriber No
(To assist with identification if address changed)

hereby apply for permission to prescribe or continue treatment with the
drug(s)—name, strength and dosage form:

(1)

(2)

(3)

at a dosage and frequency of (1)

(2)

(3)

(If dosage P.R.N., please indicate approx. weekly or monthly usage)

for Mr/Mrs/Ms D.O.B.
(Full name of patient in block letters - surname last)

of
(Patient's address in block letters)

Specific diagnosis
(Please include **prognosis**, where possible)

Note. Copies of relevant hospital/specialist reports (if available) will facilitate the
application.

I consider this patient * is a drug dependent person (as defined below) ☐

* is **not** a drug dependent person ☐

* (Tick appropriate box)

.....
(Signature) (Date)

Under section 28 of the *Poisons and Therapeutic Goods Act 1966*, the
authority of the Director-General of the Department of Health is required:

(1) to prescribe for or supply to a drug dependent person any drug of
addiction (Schedule 8),

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- (2) to prescribe for or supply to any person any preparation of amphetamine, dexamphetamine, methylamphetamine, phendimetrazine, phenmetrazine or methylphenidate (Ritalin),
 - (3) to prescribe for or supply to any person other than a drug dependent person any other drug of addiction for therapeutic use by that person continuously for more than two months.

Under section 27 of that Act, a “drug dependent person” means a person who has acquired, as a result of repeated administration of a drug of addiction or a prohibited drug within the meaning of the *Drug Misuse and Trafficking Act 1985*, an overpowering desire for the continued administration of such a drug.