



Poisons and Therapeutic Goods Amendment (Emergency Supplies) Regulation 2004

under the

Poisons and Therapeutic Goods Act 1966

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

MORRIS IEMMA, M.P.,

Minister for Health

Explanatory note

The object of this Regulation is to amend the *Poisons and Therapeutic Goods Regulation 2002* by:

- (a) updating the definition of **current Poisons Standard** to ensure that it is consistent with changes to Commonwealth legislation, and
- (b) removing 4-hydroxybutanoic acid from a list of highly dangerous substances under the Regulation following its removal from Schedule 7 to the Poisons List, and
- (c) revising the record keeping requirements for the supply of restricted substances and drugs of addiction, where such substances are supplied by pharmacists to health professionals for emergency use.

This Regulation is made under the *Poisons and Therapeutic Goods Act 1966*, including sections 17, 24 and 45C (the general regulation-making power).

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Clause 1 Poisons and Therapeutic Goods Amendment (Emergency Supplies)
Regulation 2004

**Poisons and Therapeutic Goods Amendment
(Emergency Supplies) Regulation 2004**

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Poisons and Therapeutic Goods Act 1966

1 Name of Regulation

This Regulation is the *Poisons and Therapeutic Goods Amendment (Emergency Supplies) Regulation 2004*.

2 Commencement

This Regulation commences on 30 July 2004*.

3 Amendment of Poisons and Therapeutic Goods Regulation 2002

The *Poisons and Therapeutic Goods Regulation 2002* is amended as set out in Schedule 1.

***The Regulation (statutory rule) appointed 30 July 2004 as the date of its commencement. Pursuant to section 39 (2A) of the Interpretation Act 1987, the regulation is not invalid merely because the regulation was published in the Gazette after the day on which one or more of its provisions is or are expressed to take effect, but provides, in that case, for that or those provisions to take effect from the day on which it is published in the Gazette, instead of from the earlier day.**

Schedule 1 Amendments

(Clause 3)

[1] Clause 3 Definitions

Omit the definition of *current Poisons Standard* from clause 3 (1). Insert instead:

current Poisons Standard has the same meaning as it has in the *Therapeutic Goods Act 1989* of the Commonwealth.

[2] Clause 19 Certain Schedule 7 substances to be supplied and used only under an authority

Omit “4-hydroxybutanoic acid” from clause 19 (9).

[3] Clause 56 Certain supplies of restricted substances to be separately recorded

Insert at the end of clause 56 (after the maximum penalty):

- (2) A pharmacist who supplies a restricted substance as referred to in clause 45 must record the following details of the supply in a manner approved by the Director-General:
- (a) a unique reference number for the supply,
 - (b) the name and address of the person supplied,
 - (c) the name, strength and quantity of the substance,
 - (d) the date on which the substance was supplied,
 - (e) the name of the person by whom the substance was supplied.

Maximum penalty: 15 penalty units.

[4] Clause 113A

Insert after clause 113:

113A Emergency supply to be recorded

A pharmacist who supplies a drug of addiction as referred to in clause 97 must record the following details of the supply in a manner approved by the Director-General:

- (a) a unique reference number for the supply,
- (b) the name and address of the person supplied,
- (c) the name, strength and quantity of the substance,

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Schedule 1 Amendments

- (d) the date on which the substance was supplied,
- (e) the name of the person by whom the substance was supplied.

Maximum penalty: 20 penalty units

BY AUTHORITY
