



Poisons and Therapeutic Goods Amendment (Supply by Pharmacists) Regulation 2013

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*.

JILLIAN SKINNER, MP
Minister for Health

Explanatory note

The object of this Regulation is to provide that methadone in oral liquid form or buprenorphine on prescription for the treatment of drug dependence must only be supplied at a retail pharmacy that is approved as premises at which a pharmacist may supply pharmaceutical benefits under the *National Health Act 1953* of the Commonwealth (in addition to being included on the Register of Pharmacies kept under the *Health Practitioner Regulation National Law (NSW)*).

The sale of methadone in oral liquid form or buprenorphine at a retail pharmacy for the treatment of drug dependency is subject to a limit of supplying 50 persons on any particular day.

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

2013 No 176

Clause 1

Poisons and Therapeutic Goods Amendment (Supply by Pharmacists)
Regulation 2013

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by Pharmacists) Regulation 2013**

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Poisons and Therapeutic Goods Act 1966

1 Name of Regulation

This Regulation is the *Poisons and Therapeutic Goods Amendment
(Supply by Pharmacists) Regulation 2013*.

2 Commencement

This Regulation commences on the day on which it is published on the
NSW legislation website.

Schedule 1 Amendment of Poisons and Therapeutic Goods Regulation 2008

**[1] Clause 91 Records to be kept by pharmacists of methadone or
buprenorphine prescriptions**

Omit “tablets” from clause 91 wherever occurring.

[2] Clause 92 Supply by pharmacists of liquid methadone or buprenorphine

Insert before clause 92 (1):

(1A) Despite clause 85, a pharmacist must not supply methadone in oral liquid form or buprenorphine on prescription for the treatment of drug dependence unless:

- (a) the methadone or buprenorphine is supplied at the premises of, and in the course of carrying on the business of, a retail pharmacy, and
- (b) the retail pharmacy is located on premises at which a pharmacist is approved to supply pharmaceutical benefits under section 90 of the *National Health Act 1953* of the Commonwealth.

Maximum penalty: 20 penalty units.

[3] Clause 92

Omit “tablets” from clause 92 wherever occurring.

[4] Clause 94A

Insert after clause 94:

**94A Supply of liquid methadone or buprenorphine by pharmacists—
transitional provision**

Clause 92 (1A) (as inserted by the *Poisons and Therapeutic Goods Amendment (Supply by Pharmacists) Regulation 2013*) does not operate to prevent a pharmacist who, before that insertion, supplied liquid methadone or buprenorphine on prescription for the treatment of drug dependence from continuing to supply methadone or buprenorphine after that insertion.