



New South Wales

Poisons and Therapeutic Goods Amendment (Supply by Pharmacists) Regulation (No 2) 2013

under the

Poisons and Therapeutic Goods Act 1966

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 objects of this Regulation are:

- (a) to make it clear that a pharmacist who, before the insertion of clause 92 (1A) of the *Poisons and Therapeutic Goods Regulation 2008*, supplied liquid methadone or buprenorphine on prescription for the treatment of drug dependence may continue to supply those drugs, but only at premises from which those drugs were supplied by the pharmacist before that insertion, and
- (b) to amend an existing provision allowing the Director-General to grant exemptions from certain requirements relating to the supply of methadone or buprenorphine by pharmacists, such that an exemption may only be granted if the Director-General is satisfied that there are exceptional circumstances that justify the granting of the exemption, and
- (c) to extend the provision allowing the Director-General to grant exemptions from certain requirements relating to the supply of methadone or buprenorphine, to allow an exemption to be granted in relation to the requirement that methadone in oral liquid form or buprenorphine on prescription for the treatment of drug dependence may only be supplied in the course of carrying on a retail pharmacy on premises approved under section 90 of the *National Health Act 1953* of the Commonwealth.

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

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1 Name of Regulation

This Regulation is the *Poisons and Therapeutic Goods Amendment (Supply by Pharmacists) Regulation (No 2) 2013*.

2 Commencement

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

3 Amendment of Poisons and Therapeutic Goods Regulation 2008

(1) **Clause 93 Exemptions relating to methadone or buprenorphine supply at pharmacies**

Omit “92 (1)” from clause 93 (1). Insert instead “92 (1A) or (1)”.

(2) **Clause 93 (3)**

Omit “or refuse to grant the exemption”.

Insert instead “, if the Director-General is satisfied that exceptional circumstances exist that justify the granting of the exemption, or refuse to grant the exemption”.

(3) **Clause 94A Supply of liquid methadone or buprenorphine by pharmacists—transitional provision**

Insert “at the premises at which those drugs were provided by the pharmacist before that insertion” after “after that insertion”.