



New South Wales

Poisons and Therapeutic Goods Amendment (COVID-19 Vaccine) Regulation 2021

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*.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The objects of this Regulation are to—

- (a) make provision for the Secretary of the Ministry of Health to approve SARS-CoV-2(COVID-19) vaccines that may be supplied and administered by pharmacists, and
- (b) authorise pharmacists to supply by wholesale approved poisons and restricted substances to authorised nurses and midwives for the purpose of pharmacy based vaccinations.

This Regulation is made under the *Poisons and Therapeutic Goods Act 1966*, including sections 17(1)(a) and (c) and 45C (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Poisons and Therapeutic Goods Amendment (COVID-19 Vaccine) Regulation 2021*.

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 48A Supply by pharmacists of certain vaccines

Insert after clause 48A(1A)(c)—

- (d) a SARS-CoV-2 (COVID-19) vaccine approved by the Secretary.
- (1B) The Secretary may impose conditions on an approval under subclause (1A)(d).
Note. For example, a condition may be imposed setting the minimum or maximum age of a person to whom an approved vaccine may be administered by a pharmacist under this clause.
- (1C) An approval under subclause (1A)(d) is to be published by notice in the Gazette, however failure to publish the notice does not invalidate an approval.

[2] Clause 134 Pharmacists authorised to supply by wholesale in certain circumstances

Insert after clause 134(2)—

- (3) A pharmacist practising at a retail pharmacy is authorised to supply a poison or restricted substance by wholesale to a registered nurse or a midwife if the nurse or midwife—
 - (a) holds an authority under Part 8 to supply the poison or restricted substance for the purpose of vaccination, and
 - (b) administers the poison or restricted substance in the pharmacy.