



AUSTRALIAN CAPITAL TERRITORY

## Poisons and Drugs (Amendment) Act 1994

No. 40 of 1994

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### **An Act to amend the *Poisons and Drugs Act 1978***

*[Notified in ACT Gazette S177: 7 September 1994]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Poisons and Drugs (Amendment) Act 1994*.

#### **Commencement**

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) Section 4 commences on a day fixed by the Minister by notice in the *Gazette*.

(3) If section 4 has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Poisons and Drugs Act 1978*.<sup>1</sup>

**Insertion**

4. After section 47Z of the Principal Act the following section is inserted:

**Possession of anabolic steroids**

“47ZA. (1) A person shall not, without reasonable excuse, possess an anabolic steroid.

Penalty:

- (a) if the offender is a natural person—\$5,000 or imprisonment for 6 months, or both;
- (b) if the offender is a body corporate—\$25,000.

“(2) Subsection (1) does not apply to a person who—

- (a) is licensed or authorised, under this Act or another Act, to manufacture, possess or supply an anabolic steroid;
- (b) is a registered medical practitioner, registered dentist or registered veterinary surgeon, and possesses the anabolic steroid for the purposes of his or her practice;
- (c) is a registered pharmacist and possesses the anabolic steroid for the purposes of dispensing it; or
- (d) obtained the anabolic steroid on presentation of a prescription signed by a registered medical practitioner, a registered dentist or a registered veterinary surgeon authorising the sale or supply to, or dispensing for, that person of the anabolic steroid.”.

**Insertion**

5. Before section 48 of the Principal Act the following section is inserted:

**Prescription, dispensing or sale of anabolic steroids**

“47ZB. (1) A person shall not, without reasonable excuse—

- (a) administer to himself, herself or another person; or
- (b) prescribe, dispense or sell to another person for human use; an anabolic steroid.

Penalty:

- (a) if the offender is a natural person—\$5,000 or imprisonment for 6 months or both;
- (b) if the offender is a body corporate—\$25,000.

“(2) Subsection (1) does not apply to administering, prescribing, dispensing or selling an anabolic steroid—

- (a) that is registered under the *Therapeutic Goods Act 1989* of the Commonwealth; or
- (b) for the purposes of a clinical trial conducted under that Act.

“(3) In this section—

‘anabolic steroid’ includes—

- (a) a substance specified in Schedule 1 and any—
  - (i) salt, active principle or derivative of such a substance;
  - (ii) stereoisomer of such a substance; or
  - (iii) preparation or admixture containing any proportion of such a substance;
- (b) a salt of an active principle or derivative referred to in subparagraph (a) (i); and
- (c) a salt of a stereoisomer referred to in subparagraph (a) (ii).”.

## **Schedule**

6. After section 55 of the Principal Act the following Schedule is inserted:

### **SCHEDULE 1**

Section 47ZB

#### **ANABOLIC STEROIDS**

Androisoxazole

Androsterone

Boldenone

Clostebol

Drostanolone

Ethyloestrenol

Fluoxymesterone

Mestanolone

Mesterolone

Methandriol

Methandrostenolone

Methenolone

Methyltestosterone

Mibolerone

Nandrolone

Norethandrolone

Oxandrolone

Oxymesterone

Oxymetholone

Stanolone

Stanozolol

Testosterone

Trenbolone

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**NOTE**

1. Reprinted as at 31 July 1993. See also Act No. 44, 1993.

*[Presentation speech made in Assembly on 17 February 1993]*

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