

1994

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL  
TERRITORY**

*POISONS AND DRUGS ACT 1978*

**POISONS AND DRUGS REGULATIONS (AMENDMENT)**

Subordinate Law No. 31 of 1994

**EXPLANATORY MEMORANDUM**

Circulated by authority of the Minister for Health

Terry Connolly MLA

## **POISONS AND DRUGS ACT 1978**

### **POISONS AND DRUGS REGULATIONS (AMENDMENT)**

#### **EXPLANATORY MEMORANDUM**

##### **OUTLINE**

The *Poisons and Drugs Act 1978* (the Act) lists poisons and drugs in eight schedules, and sets out labelling and packaging requirements for all scheduled substances.

In particular, Part II of the Act concerns restricted substances which can be prescribed or supplied only by authorised specialist medical practitioners.

The *Poisons and Drugs (Amendment) Act 1994* amends the Act to remove the list of restricted substances and the list of specialist doctors eligible to be authorised by the Medical Officer of Health to prescribe or supply restricted substances.

This enables the transfer of both lists from the Act to the Poisons and Drugs Regulations.

The purpose of the Poisons and Drugs Regulations (Amendment) is to list restricted substances and specialist doctors eligible to be authorised by the Medical Officer of Health to prescribe or supply restricted substances.

It is administratively easier for changes to be made to these lists in line with national recommendations if the lists can be altered by regulation rather than by Assembly amendment.

##### **FINANCIAL CONSIDERATIONS**

The Regulations have no revenue or cost implications.

## NOTES ON REGULATIONS

### *POISONS AND DRUGS ACT 1978*

### POISONS AND DRUGS REGULATIONS (AMENDMENT)

#### Formal Regulations

Regulations 1 and 2 are formal requirements. They refer to the commencement of the Regulations, and define Principal Regulations to be the Poisons and Drugs Regulations. The Regulations commence on the day on which the *Poisons and Drugs (Amendment) Act 1994* commences.

#### Regulation 3 - Insertion

Regulation 3 inserts regulations 4A and 4B after regulation 4 of the Principal Regulations.

Regulation 4A prescribes restricted substances to be those specified in column 1 of Schedule 3 to the Principal Regulations (see regulation 4 of these Regulations). Column 1 of Schedule 3 lists the restricted substances removed from the *Poisons and Drugs Act 1978* by the *Poisons and Drugs (Amendment) Act 1994* and the additional substances requiring similar controls listed in the National Health and Medical Research Council's Standard for the Uniform Scheduling of Drugs and Poisons.

Regulation 4B defines the classes of persons who are eligible to be granted authorisation by the Medical Officer of Health to prescribe or supply restricted substances to be those specified in column 2 of Schedule 3 to the Principal Regulations. This is to ensure that restricted substances are prescribed only by authorised specialist doctors because of their expertise in ensuring that the drugs' clinical use is appropriate.

#### Regulation 4

Regulation 4 adds Schedule 3 at the end of the Principal Regulations.