
Regulations 1977 No. 4

Regulations under the *Poisons and Dangerous Drugs Ordinance* 1933.*

I, RALPH JAMES DUNNET HUNT, the Minister of State for Health, hereby make the following Regulations under the *Poisons and Dangerous Drugs Ordinance* 1933.

Dated this second day of February, 1977.

RALPH J. HUNT
Minister of State for Health.

AMENDMENTS OF THE POISONS REGULATIONS†

1. Regulation 4 of the Poisons Regulations is amended by omitting sub-regulations (3) and (4). Licence.

2. Regulation 16 of the Poisons Regulations is repealed and the following regulations substituted:—

“ 16. (1) Every person legally entitled to sell narcotic drugs, other than a person to whom regulation 16A applies, shall, subject to this regulation, keep the drugs locked in a cabinet, cupboard or other similar receptacle. Storage of narcotic drugs by medical practitioners.

“ (2) Nothing in sub-regulation (1) applies to or in relation to a person who—

- (a) is carrying a narcotic drug for the purposes of his profession; or
- (b) unlocks the cabinet, cupboard or receptacle for the purpose of stock-taking or for the purpose of inserting or removing such other drugs as are stored in the cabinet, cupboard or receptacle.

“ 16A. (1) In this regulation ‘ person to whom this regulation applies ’ means a person who is— Storage of narcotic drugs by pharmacists, &c.

- (a) the holder of a licence issued by the Commissioner;
- (b) a registered pharmacist; or
- (c) a person who holds a certificate of registration in respect of a private hospital issued under the Public Health (Private Hospitals) Regulations.

* Notified in the *Australian Government Gazette* on 22 February 1977.

† Regulations notified in the *Gazette* on 21 December 1933, as amended by Regulations 1963, No. 2; and 1976, No. 22.

Poisons Regulations

“(2) A person to whom this regulation applies is guilty of an offence if—

- (a) a narcotic drug kept by the person is not kept in a cabinet constructed and positioned in accordance with regulation 16A, or in accordance with such other requirements as the Commissioner, by instrument in writing, approves; or
- (b) a narcotic drug kept by the person is kept in a cabinet that is not locked.

“(3) Nothing in sub-regulation (2) applies to or in relation to a person who keeps a narcotic drug otherwise than in accordance with that sub-regulation—

- (a) for no longer than is reasonably necessary for the administration of the drug to a patient;
- (b) in the case of the holder of a licence—for the purpose of delivering the drug to a person legally entitled to sell the drug; or
- (c) in the case of a registered pharmacist—for the purpose of dispensing the drug.

Requirements
for cabinets.

“16B. (1) The cabinet referred to in paragraph 16A (2) (a) is a cabinet constructed in accordance with the following requirements:—

- (a) the cabinet shall be made from black mild steel plate of not less than 10 millimetres thickness, welded at all edges;
- (b) the cabinet shall have a door made from black mild steel plate of not less than 10 millimetres thickness—
 - (i) fitting flush with the body of the cabinet when in a closed position;
 - (ii) with a clearance of not more than 2 millimetres on all sides; and
 - (iii) with a fitted locking bar welded to the inside surface near the hinged edge to engage in a rebate in the body of the cabinet when in a closed position; and
- (c) the cabinet shall have affixed to the inside face of the door a five-lever key lock or a locking mechanism of a kind approved by the Commissioner.

“(2) The cabinet referred to in paragraph 16A (2) (a) shall be attached to a wall or to the floor—

- (a) where the wall or the floor is constructed of brick or concrete, by means of suitably sized expanding bolts in holes of 10 millimetres in diameter in the base or rear wall of the cabinet;
- (b) where the wall or the floor is constructed on a timber frame, by means of suitably sized coach screws in holes of 10 millimetres in diameter in the base or rear wall of the cabinet; and
- (c) where the wall or the floor is not constructed of brick or concrete and is not constructed on a timber frame, in such manner as is approved by the Commissioner.”

Schedule.

3. The Schedule to the Poisons Regulations is repealed and the Schedule set out in Schedule 1 is substituted.

Schedule
amendments.

4. The Poisons Regulations are further amended as set out in Schedule 2.

SCHEDULES

SCHEDULE 1

Regulation 3

SCHEDULE

Regulation 4

AUSTRALIAN CAPITAL TERRITORY
Poisons and Dangerous Drugs Ordinance 1933

LICENCE

This is to certify that

is licensed by the Commissioner, Capital Territory Health Commission, to sell

at his place of business situated at

This licence is issued subject to the Poisons Regulations.

Dated this day of 19 .

Commissioner.

SCHEDULE 2

Regulation 4

Provision amended	Omit—	Substitute—
Sub-regulation 4 (1)	Board	Commissioner
Sub-regulation 4 (2)	Ten shillings	\$1
Paragraph 7 (e)	board	Commissioner
Regulation 7—Proviso	Board	Commissioner
Regulation 10	<i>Liquor Ordinance 1929–1932</i>	<i>Liquor Ordinance 1975</i>
Paragraph 17 (a)	Board	Commissioner
Paragraph 22 (b)	Board	Commissioner
Paragraph 22 (d)	Board	Commissioner
Sub-regulation 24 (2)	Twenty pounds	\$40