

Australian Capital Territory

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 2)

Subordinate Law

The Australian Capital Territory Executive makes the following regulation under the [Medicines, Poisons and Therapeutic Goods Act 2008](http://www.legislation.act.gov.au/a/2008-26).

Dated 19 June 2020.

Rachel Stephen-Smith

Minister

Shane Rattenbury

Minister



Australian Capital Territory

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[Medicines, Poisons and Therapeutic Goods Act 2008](http://www.legislation.act.gov.au/a/2008-26" \o "A2008-26)

1 Name of regulation

This regulation is the Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 2).

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This regulation amends the [Medicines, Poisons and Therapeutic Goods Regulation 2008](http://www.legislation.act.gov.au/sl/2008-42).

4 Section 31 (1) (b) (iv)

omit

24 hours

substitute

7 days

5 New section 31A

insert

31A Variation of authorisation condition during Commonwealth special arrangement period

(1) This section applies to a prescriber of a prescription if—

(a) the prescription is faxed by the prescriber to a pharmacist; and

(b) the prescription is for the supply of a medicine in accordance with a Commonwealth special arrangement; and

(c) the Commonwealth special arrangement requires the prescriber to keep the original of the prescription.

(2) The prescriber is not required to send the original of the prescription under section 31 (1) (b) (iv).

(3) In this section:

Commonwealth special arrangement means a special arrangement made under the [National Health Act 1953](https://www.legislation.gov.au/Series/C1953A00095) (Cwlth), section 100, as in force from time to time.

Note Commonwealth special arrangements are accessible at [www.legislation.gov.au](http://www.legislation.gov.au/).

6 Section 120 (1) (g)

substitute

(g) if the prescription is an oral prescription for the dispensing of the medicine, or is faxed by a prescriber to a pharmacist, and the pharmacist does not receive an original of the prescription within 14 days after the day the prescription is given—the pharmacist must, within 24 hours after the end of the 14-day period, tell the chief health officer, in writing, of the failure to receive the original prescription;

7 New section 120A

insert

120A Variation of authorisation condition for dispensing medicines during Commonwealth special arrangement period

(1) This section applies to a pharmacist who receives a written prescription if—

(a) the prescription is faxed by a prescriber to the pharmacist; and

(b) the prescription is for the supply of a medicine in accordance with a Commonwealth special arrangement; and

(c) the Commonwealth special arrangement requires the prescriber to keep the original of the prescription.

(2) The pharmacist is not required to tell the chief health officer of a failure to receive the original prescription under section 120 (1) (g).

(3) In this section:

Commonwealth special arrangement means a special arrangement under the [National Health Act 1953](https://www.legislation.gov.au/Series/C1953A00095) (Cwlth), section 100, as in force from time to time.

Note Commonwealth special arrangements are accessible at [www.legislation.gov.au](http://www.legislation.gov.au/).

Endnotes

1 Notification

Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 19 June 2020.

2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au/).

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