



Australian Capital Territory

# Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 3)

Subordinate Law SL2020-24

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The Australian Capital Territory Executive makes the following regulation under the *Medicines, Poisons and Therapeutic Goods Act 2008*.

Dated 26 June 2020.

RACHEL STEPHEN-SMITH  
Minister

SHANE RATTENBURY  
Minister

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J2020-655

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)





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[Medicines, Poisons and Therapeutic Goods Act 2008](#)

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<b>1</b>	<b>Name of regulation</b>
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This regulation is the *Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 3)*.

## **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](#), s 75 (1)).

## **3 Legislation amended**

This regulation amends the [Medicines, Poisons and Therapeutic Goods Regulation 2008](#).

## **4 Part 15.1 heading**

*substitute*

# **Part 15.1 Opioid dependency treatment**

## **5 New sections 631 and 632**

*in part 15.1, insert*

### **631 Minister may exempt certain people dealing with buprenorphine or methadone from Act—Act, s 190 (1) (b)**

- (1) The Minister may exempt a person from the Act if the person—
  - (a) is an agent of an ODT person; and
  - (b) is dealing with buprenorphine or methadone for the ODT person.

*Note* An exemption may be conditional (see the [Act](#), s 190 (2)).

- (2) An exemption is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

(3) In this section:

**agent**, of an ODT person, means a person nominated as the ODT person's agent under the ODT contingency guidelines.

**ODT contingency guidelines** means guidelines issued under the [Act](#), section 192 that make provision about the circumstances in which an agent for an ODT person may deal with buprenorphine or methadone for the ODT person.

**ODT person** means a person who—

- (a) is dependent on opioids; and
- (b) is being treated for their dependency with buprenorphine or methadone.

**632 Certain people exempt from Act during COVID-19 emergency—Act, s 190 (1) (a)**

- (1) An agent of an ODT person is exempt from the Act if—
  - (a) the ODT person is unable to attend an opioid dependency treatment centre because of a COVID-19 emergency; and
  - (b) the agent is dealing with buprenorphine or methadone for the ODT person; and
  - (c) the agent complies with the ODT contingency guidelines when dealing with the buprenorphine or methadone for the ODT person.

*Note 1* **Opioid dependency treatment centre**—see the [Act](#), dictionary.

*Note 2* **Dealing** with buprenorphine or methadone includes obtaining, possessing, supplying or discarding the substance (see the [Act](#), s 19).

(2) In this section:

*agent*, of an ODT person—see section 631 (3).

*COVID-19 emergency* means—

- (a) a state of emergency declared under the *Emergencies Act 2004*, section 156 because of the coronavirus disease 2019 (COVID-19); or
- (b) an emergency declared under the *Public Health Act 1997*, section 119 (including any extension or further extension) because of the coronavirus disease 2019 (COVID-19).

*ODT contingency guidelines*—see section 631 (3).

*ODT person*—see section 631 (3).

(3) This section expires on the first day no COVID-19 emergency is in force.

## **6 Dictionary, note 3, new dot point**

*insert*

- opioid dependency treatment centre

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## Endnotes

**1 Notification**

Notified under the [Legislation Act](#) on 26 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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