

HE301\*

Poisons Act 1964

## **Poisons Amendment Regulations (No. 3) 2010**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Poisons Amendment Regulations (No. 3) 2010*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Poisons Regulations 1965*.

**4. Regulation 2 amended**

In regulation 2(1) delete the definition of *registered nurse* and insert:

*registered nurse* has the meaning given in the *Nurses and Midwives Act 2006* section 3;

**5. Regulation 2AAA inserted**

After regulation 2 insert:

**2AAA. Notes not part of regulations**

Notes in these regulations are provided to assist understanding and do not form part of the regulations.

**6. Regulation 37B inserted**

After regulation 37A insert:

**37B. Vaccines — exemption from specified provisions of the Act**

- (1) Under section 21A of the Act, a Schedule 4 poison is exempt from the operation of sections 23(1) and 32(c) of the Act and regulations 33 and 36 if —
  - (a) it is contained in a vaccine listed in Appendix B; and
  - (b) the vaccine is administered to a person by a registered nurse in the course of the nurse's employment —
    - (i) in the Department (as defined in the *Hospitals and Health Services Act 1927* section 2(1)); or
    - (ii) by a board (as defined in the *Hospitals and Health Services Act 1927* section 2(1));

and

- (c) the vaccine is administered in accordance with the code for the administration of the vaccine approved by the CEO and published on the department's website.

Note: The department's website address is <<http://www.health.wa.gov.au>>.

- (2) The exemption in subregulation (1) applies only to the extent that the provisions in respect of which it applies relate to the supply of a poison.

**7. Appendix B inserted**

After Appendix A insert:

**Appendix B — Vaccines exempt from specified provisions of the Act**

[r. 37B]

	<b>Vaccines</b>
1.	Diphtheria toxoid
2.	Haemophilus B conjugate vaccine
3.	Haemophilus influenzae vaccine
4.	Hepatitis A vaccine, inactivated
5.	Hepatitis B vaccine
6.	Human papillomavirus vaccine, recombinant
7.	Influenza virus vaccine
8.	Measles vaccine, live
9.	Mumps vaccine, live
10.	Neisseria meningitidis vaccine
11.	Pertussis vaccine
12.	Pneumococcal vaccine
13.	Poliomyelitis vaccine
14.	Rotavirus vaccine, live, oral
15.	Rubella vaccine, live

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16.	Tetanus toxoid
17.	Varicella zoster vaccine, live attenuated

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

  

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