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**HEALTH**

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HE301\*

Poisons Act 1964

**Poisons Amendment Regulations (No. 6) 2009**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**1. Citation**

These regulations are the *Poisons Amendment Regulations (No. 6) 2009*.

**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 37A inserted**

After regulation 36B insert:

**37A. H1N1 Pandemic Influenza Vaccine — exemption from specified provisions of the Act**

- (1) Under section 21A of the Act, H1N1 Pandemic Influenza Vaccine is exempt from the operation of sections 23(1) and 32(c) of the Act and regulations 33 and 36 —
  - (a) if the vaccine is administered to a person by a registered nurse in the course of his or her 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
  - (b) to the extent, and only to the extent, that those provisions relate to the supply of a poison.
- (2) A registered nurse is to make a record in a form approved by the CEO of every occasion on which he or she administers H1N1 Pandemic Influenza Vaccine to a person.
- (3) A record required to be made under subregulation (2) is to include —
  - (a) the name, quantity and batch number of the vaccine administered;
  - (b) the name, address, date of birth and gender of the person to whom the vaccine was administered;
  - (c) the date on which the vaccine was administered;
  - (d) the registered nurse's name and signature.
- (4) The records must be kept for at least 2 years from the date on which the vaccine was administered.

By Command of the Lieutenant-Governor and deputy of the Governor,

R. KENNEDY, Clerk of the Executive Council.