

HE302*

POISONS ACT 1964

POISONS AMENDMENT REGULATIONS (No. 2) 1998

Made by the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Poisons Amendment Regulations (No. 2) 1998*.

Commencement

2. These regulations come into operation on 19 June 1998.

Principal regulations

3. In these regulations the *Poisons Regulations 1965** are referred to as the principal regulations.

[* Reprinted as at 4 November 1996.

For amendments to 5 May 1998 see 1997 Index to Legislation of Western Australia, Table 4, pp. 209-10, and Gazette 17 March 1998.]

Regulation 51GB inserted

4. After regulation 51GA of the principal regulations the following regulation is inserted —

“

Supply of flunitrazepam

51GB. (1) Notwithstanding regulations 51B to 51F, a medical practitioner shall not supply flunitrazepam or issue, write or authorize a prescription for flunitrazepam for a person unless that practitioner has been authorized in writing to do so in relation to that particular person by the Commissioner of Health.

(2) The Commissioner of Health shall give the authorization an identifying number (in this regulation called “the HDWA Authorization No.”).

(3) In an authorization given under subregulation (1), the Commissioner of Health may specify that any one or more of the conditions and restrictions set out below apply, namely —

- (a) that the prescription be issued by or the treatment be administered by the medical practitioner specified in the authorization;
- (b) that the amount of flunitrazepam to be prescribed or used for treatment shall not exceed the amount specified;
- (c) that the amount of flunitrazepam to be prescribed or used on any one day shall not exceed the amount specified;
- (d) that the concentration of flunitrazepam to be prescribed shall not exceed the concentration specified;
- (e) that the intervals between the issue of prescriptions for flunitrazepam or the administration of flunitrazepam shall be such as are specified;
- (f) that the prescription be supplied at the pharmacy specified;
- (g) that the amount of flunitrazepam dispensed on a single prescription not exceed such amount as is specified;
- (h) that the amount of flunitrazepam that may be supplied on any one day shall not exceed such amount as is specified.

(4) An authorization issued for the purpose of subregulation (1) is valid for such period as is specified by the Commissioner of Health unless revoked by the Commissioner, by notice in writing served on the practitioner, before the expiration of that period.

(5) The Commissioner of Health may at any time, by notice in writing served on the practitioner, amend the conditions and restrictions specified under subregulation (3).

(6) A medical practitioner shall not supply flunitrazepam or issue, write or authorize a prescription for flunitrazepam contrary to any conditions and restrictions specified in the authorization.

(7) A medical practitioner who issues or writes a prescription for flunitrazepam shall write the HDWA Authorization No. on the prescription after his or her signature using the following format C

“HDWA Authorization No.” .

(8) A pharmaceutical chemist shall not sell or supply flunitrazepam unless the HDWA Authorization No. is written on the prescription for the flunitrazepam in accordance with subregulation (7).

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Regulation 53A amended

5. Regulation 53A (1) of the principal regulations is amended by inserting in the Table, in the appropriate alphabetical position, the following —

“ Flunitrazepam ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
