

**HE306****POISONS ACT 1964****POISONS AMENDMENT REGULATIONS (No. 2) 1996**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Poisons Amendment Regulations (No. 2) 1996*.

**Commencement**

2. These regulations come into operation on the day fixed as the day on which the *Poisons Amendment Act 1995* comes into operation.

**Principal regulations**

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

[\* Reprinted as at 7 January 1993.  
For amendments to 28 February 1996 see 1994 Index to Legislation of Western Australia, Table 4, pp. 214-217, and Gazette, 3 February, 17 March, 28 April, 27 June, 5 and 19 September 1995 and 17 January 1996.]

**Regulation 2 amended**

4. Regulation 2 of the principal regulations is amended —
  - (a) in the definition of “distributor” by deleting “or hazardous substance”;
  - (b) by deleting the definition of “Fourth Schedule drug”;

- (c) in the definition of "immediate container" by deleting "or hazardous substance";
- (d) by deleting the definition of "internal";
- (e) in the definition of "manufacture" by deleting "or hazardous substance (including such substance in the raw state)";
- (f) in the definition of "manufacturer" by deleting "or hazardous substance";
- (g) by deleting the definition of "new drug"; and
- (h) by deleting the definition of "SUSDP" and substituting the following definitions —

"

"Schedule" has the meaning given in the Act;

"SUSDP" has the meaning given in clause 1 (1) of Appendix A to the Act;

".

#### **Regulation 2AA inserted**

5. After regulation 2 of the principal regulations the following regulation is inserted —

"

#### **Prescribed office (section 64B)**

**2AA.** For the purposes of section 64B of the Act, the office of the Pharmaceutical Services, Environmental Health Branch of the Department, located at Grace Vaughan House, 227 Stubbs Terrace, Shenton Park, is prescribed as the office of the department at which a copy of every standard referred to in the Act is to be kept and made available to the public for inspection.

".

#### **Regulation 2A amended**

6. Regulation 2A of the principal regulations is amended —

- (a) by deleting "in the Eighth Schedule declared to be poisons" and substituting the following —

" included in Schedule 8 and Schedule 9 "; and

- (b) in paragraph (c) by deleting "in the Fifth Schedule" and substituting the following —

" included in Schedule 5 ".

#### **Regulation 6 repealed**

7. Regulation 6 of the principal regulations is repealed.

#### **Regulation 7 amended**

8. Regulation 7 of the principal regulations is amended by deleting "specified in either the Second or Sixth Schedules to the Act" and substituting the following —

" included in Schedule 2 ".

**Regulation 8 amended**

9. Regulation 7 of the principal regulations is amended by deleting "specified in the Seventh Schedule to the Act" and substituting the following —

" included in Schedule 7 ".

**Regulation 8A amended**

10. Regulation 8A of the principal regulations is amended —

(a) in subregulation (1) —

(i) by deleting "wholesale dealer" and substituting the following —

" wholesale supplier "; and

(ii) by deleting "specified in the Second, Third or Fourth Schedules to the Act" and substituting the following —

" included in Schedule 2, 3 or 4 ";

(b) in subregulation (3) by deleting "wholesale dealer" and substituting the following —

" wholesale supplier ";

(c) in subregulation (4) by deleting "wholesale dealer" in the 7 places where it occurs and substituting in each case the following —

" wholesale supplier ";

(d) in subregulation (6) by deleting "wholesale dealer" and substituting the following —

" wholesale supplier ";

(e) in subregulation (10) by deleting "wholesale dealer" and substituting the following —

" wholesale supplier ";

(f) in subregulation (12) by deleting "wholesaler's" and substituting the following —

" wholesale supplier's "; and

(g) in subregulation (16) in the definition of "sample" by deleting "specified in the Second, Third or Fourth Schedule." and substituting the following —

" included in Schedule 2, 3 or 4. ".

**Regulation 9 amended**

11. Regulation 9 of the principal regulations is amended by deleting "wholesale dealer" and substituting the following —

" wholesale supplier ".

**Regulation 10 amended**

12. Regulation 10 of the principal regulations is amended by deleting "wholesale dealer" and substituting the following —

" wholesale supplier ".

**Regulation 10A amended**

13. Regulation 10A of the principal regulations is amended —

- (a) in subregulation (1) by deleting “wholesale dealer” and substituting the following —  
“ wholesale supplier ”; and
- (b) in subregulation (2) (b) by deleting “Hospitals Act 1927.” and substituting the following —  
“ *Hospitals and Health Services Act 1927.* ”.

**Regulation 12 repealed and a regulation substituted**

14. Regulation 12 of the principal regulations is repealed and the following regulation is substituted —

“

**Application for licence or permit (ss. 24 and 25)**

12. (1) A person who wishes to apply for a licence under section 24 of the Act or a permit under section 25 of the Act shall lodge with the Commissioner of Health an application in such form as may be approved by the Commissioner of Health from time to time for that purpose.

(2) An applicant under this regulation must indicate in the application whether the application is for a period of one year or for 3 years.

(3) The appropriate fees for licences or permits, and renewals of licences or permits, are those set out in Appendix G.

(4) Where the applicant for a licence or permit applies on behalf of a corporate body or firm the application shall contain the name of a natural person who, in respect of the premises named in the application, shall be responsible for carrying out the provisions of the Act and these regulations.

(5) The Commissioner of Health may only grant an application and issue a licence or permit, or renew a licence or permit, if the application under this regulation is accompanied by the appropriate fee set out in Appendix G.

”.

**Regulations 13 and 14 repealed**

15. Regulations 13 and 14 of the principal regulations are repealed.

**Regulation 19 amended**

16. Regulation 19 of the principal regulations is amended —

- (a) in subregulation (1) by deleting “or hazardous substance” in the 2 places where it occurs;
- (b) in subregulation (2) by deleting “or hazardous substance”;
- (c) by repealing subregulation (3); and
- (d) by deleting the Table to that regulation.

**Regulation 19AA amended**

17. Regulation 19AA of the principal regulations is amended —

- (a) in subregulation (1) by deleting “or hazardous substance” in the 2 places where it occurs;

- (b) in subregulation (2) by deleting “a Second, Third, Fourth or Eighth Schedule” and substituting the following —
  - “ a Schedule 2, 3, 4, 8 or 9 ”; and
- (c) in subregulation (3) by deleting “or hazardous substance”.

**Regulation 19A amended**

18. Regulation 19A of the principal regulations is amended —

- (a) in paragraph (a) by deleting “or hazardous substance”; and
- (b) in paragraph (b) by deleting “or hazardous substance”.

**Regulation 21 amended**

19. Regulation 21 (1) of the principal regulations is amended by deleting “or hazardous substance”.

**Regulation 21A amended**

20. Regulation 21A (1) of the principal regulations is amended by inserting after “Appendix K” the following —

“ of the SUSDP ”.

**Regulation 24A amended**

21. Regulation 24A of the principal regulations is amended by deleting “or hazardous substance” in the 2 places where it occurs.

**Regulation 30 amended**

22. Regulation 30 of the principal regulations is amended —

- (a) by deleting “a hazardous substance or”; and
- (b) by deleting “or hazardous substance” in the 3 places where it occurs.

**Regulation 32 amended**

23. Regulation 32 of the principal regulations is amended by deleting “member of the Police Force” and substituting the following —

“ police officer ”.

**Regulation 34D repealed**

24. Regulation 34D of the principal regulations is repealed.

**Regulation 35 amended**

25. Regulation 35 of the principal regulations is amended by deleting “referred to in the Second Schedule” and substituting the following —

“ included in Schedule 2 ”.

**Regulation 35A amended**

26. Regulation 35A of the principal regulations is amended —

- (a) in subregulation (1a) by deleting “referred to in the Third Schedule” and substituting the following —  
“ included in Schedule 3 ”; and
- (b) in subregulation (3) by deleting “any inspector appointed under the *Health Act 1911* or to a person authorized in that behalf by the Minister.” and substituting the following —  
“ an authorized officer ”.

**Regulation 35AA amended**

27. Regulation 35AA of the principal regulations is amended by deleting “referred to in the Third Schedule” and substituting the following —

“ included in Schedule 3 ”.

**Regulation 35B amended**

28. Regulation 35B of the principal regulations is amended by deleting “referred to in the Third Schedule” and substituting the following —

“ included in Schedule 3 ”.

**Regulation 35C amended**

29. Regulation 35C of the principal regulations is amended by deleting “referred to in the Third Schedule” and substituting the following —

“ included in Schedule 3 ”.

**Regulation 35D amended**

30. Regulation 35D of the principal regulations is amended by deleting “referred to in the Fourth Schedule” and substituting the following —

“ included in Schedule 4 ”.

**Regulation 36 amended**

31. Regulation 36 of the principal regulations is amended —

- (a) in subregulation (1) —
  - (i) by deleting “Fourth Schedule drug” and substituting the following —  
“ poison included in Schedule 4 ”;
  - (ii) in paragraph (a) by deleting “drug” in the 2 places where it occurs and substituting in each place the following —  
“ poison ”;
  - (iii) in paragraph (b) by deleting “drug” in the 2 places where it occurs and substituting in each place the following —  
“ poison ”;
  - (iv) in paragraph (c) by deleting “drug” in the 5 places where it occurs and substituting in each place the following —  
“ poison ”; and

- (v) in paragraph (d) by deleting "drug" in the 2 places where it occurs and substituting in each place the following —
  - "       poison       ";
- (b) in subregulation (2) by deleting "Fourth Schedule drug." and substituting the following —
  - "       poison included in Schedule 4.       ";
- (c) in subregulation (3) (c) —
  - (i) in subparagraph (ii) by deleting "drug" in the 2 places where it occurs and substituting in each place the following —
    - "       poison       ";
  - (ii) in subparagraph (iv) by deleting "drug" and substituting the following —
    - "       poison       "; and
  - (iii) in subparagraph (v) by deleting "Fourth Schedule drug" and substituting the following —
    - "       poison included in Schedule 4       ";
- (d) in subregulation (3) (e) by deleting "Fourth Schedule drug" and substituting the following —
  - "       poison included in Schedule 4       "; and
- (e) in subregulation (4) —
  - (i) by deleting "Fourth Schedule drugs" and substituting the following —
    - "       poisons included in Schedule 4       "; and
  - (ii) in paragraph (b) by deleting "drugs" and substituting the following —
    - "       poisons       ".

#### **Regulation 37 amended**

**32.** Regulation 37 (1) of the principal regulations is amended by deleting "Fourth Schedule drug" and substituting the following —

"       poison included in Schedule 4       ".

#### **Regulation 38 amended**

**33.** Regulation 38 of the principal regulations is amended by deleting "Fourth Schedule drug" and substituting the following —

"       poison included in Schedule 4       ".

#### **Regulation 38A amended**

**34.** Regulation 38A (2) (c) of the principal regulations is amended by deleting "wholesaler" and substituting the following —

"       wholesale supplier       ".

**Regulation 38AA amended**

35. Regulation 38AA of the principal regulations is amended —

- (a) in subregulation (1) —
  - (i) by deleting “Fourth Schedule drug” and substituting the following —  
“       poison included in Schedule 4       ”; and
  - (ii) by deleting “the drug” and substituting the following —  
“       the poison       ”; and
- (b) in subregulation (2) by deleting “Fourth Schedule drug” and substituting the following —  
“       poison included in Schedule 4       ”.

**Regulation 38G amended**

36. Regulation 38G (2) (b) of the principal regulations is amended by deleting “WARNING - CAUSES BIRTH DEFECTS.” and substituting the following —

“  
“WARNING - CAUSES BIRTH DEFECTS  
DO NOT USE IF PREGNANT OR LIKELY TO BECOME PREGNANT”.  
”.

**Regulation 38J repealed**

37. Regulation 38J of the principal regulations is repealed.

**Regulation 38M amended**

38. Regulation 38M (b) of the principal regulations is amended by deleting “a medical practitioner specialising in psychiatry,” and substituting the following —

“       psychiatrist;       ”.

**Regulation 38N amended**

39. Regulation 38N of the principal regulations is amended —

- (a) by deleting “Fourth Schedule nitrofurans derivatives” and substituting the following —  
“       nitrofurans derivatives included in Schedule 4 and       ”;  
and
- (b) by deleting “drugs” and substituting the following —  
“       poisons       ”.

**Regulation 39 amended**

40. Regulation 39 (1) of the principal regulations is amended —

- (a) by deleting “Fourth Schedule drug” and substituting the following —  
“       poison included in Schedule 4       ”;
- (b) in paragraph (b) by deleting “drug” and substituting the following —  
“       poison       ”;



- (c) in paragraph (c) by deleting "drugs" and substituting the following —  
" poisons ";
- (d) in paragraph (c) by deleting "drug" and substituting the following —  
" poison "; and
- (e) in paragraph (d) by deleting "drug." and substituting the following —  
" poison. ".

#### **Regulation 39A amended**

**41.** Regulation 39A of the principal regulations is amended —

- (a) in subregulation (1) by deleting "Fourth Schedule drug" and substituting the following —  
" poison included in Schedule 4 ";
- (b) in subregulation (2) by deleting "officer authorized in that behalf by the Commissioner of Health." and substituting the following —  
" authorized officer. "; and
- (c) in subregulation (3) by deleting "Fourth Schedule drugs" and substituting the following —  
" poisons included in Schedule 4 ".

#### **Regulation 39B amended**

**42.** Regulation 39B of the principal regulations is amended —

- (a) in subregulation (1) by deleting "Fourth Schedule drug" and substituting the following —  
" poison included in Schedule 4 ";
- (b) in subregulation (2) —
  - (i) by deleting "Fourth Schedule drug" and substituting the following —  
" poison included in Schedule 4 "; and
  - (ii) by deleting "the drug" and substituting the following —  
" the poison ";
- (c) in subregulation (3) by deleting "Fourth Schedule drug" and substituting the following —  
" poison included in Schedule 4 "; and
- (d) in subregulation (4) —
  - (i) by deleting "Fourth Schedule drug" and substituting the following —  
" poison included in Schedule 4 "; and
  - (ii) by deleting "the drug" and substituting the following —  
" the poison ".

**Regulation 40 amended**

**43.** Regulation 40 of the principal regulations is amended —

- (a) in subregulation (1) —
  - (i) in paragraph (f) by deleting “*Hospitals Act 1927*,” and substituting the following —

“ *Hospitals and Health Services Act 1927*; ”; and
  - (ii) by deleting “Fourth Schedule drug” in the 2 places where it occurs and substituting in each place the following —

“ poison included in Schedule 4 ”;
- (b) in subregulation (1a) —
  - (i) by deleting “Fourth Schedule drug” and substituting the following —

“ poison included in Schedule 4 ”; and
  - (ii) by deleting “the drug” in the 3 places where it occurs and substituting in each place the following —

“ the poison ”; and
- (c) in subregulation (2) by deleting “Fourth Schedule drug” in the 2 places where it occurs and substituting in each place the following —

“ poison included in Schedule 4 ”.

**Regulation 41 amended**

**44.** Regulation 41 of the principal regulations is amended —

- (a) by deleting the regulation designation “41.” and substituting the regulation designation “40A.”;
- (b) by deleting “Fourth Schedule drug” and substituting the following —

“ poison included in Schedule 4 ”;
- (c) by deleting “that drug” and substituting the following —

“ that poison ”; and
- (d) in paragraph (a) by deleting “the drug,” and substituting the following —

“ the poison; ”.

**New regulation 41 inserted**

**45.** After regulation 40A of the principal regulations the following regulation is inserted —

“

**Revocation notice in relation to Schedule 6 poisons**

**41.** The Commissioner of Health may, by notice given to a person referred to in section 23 (4) of the Act, revoke the authority conferred on that person by that section in relation to poisons included in Schedule 6, and that revocation may be —

- (a) total or subject to strict conditions;

- (b) made in respect of all or any poisons to which the authority relates; and
- (c) may be amended or revoked by a further notice.

”.

#### **Regulation 41A repealed and a regulation substituted**

46. Regulation 41A of the principal regulations is repealed and the following regulation is substituted —

“

#### **Sale of poisons included in Schedule 7**

41A. (1) A person who sells, by retail, any poisons included in Schedule 7 shall, in addition to any conditions and restrictions imposed by notice issued in accordance with these regulations, keep a record of sale by keeping and maintaining a register in accordance with this regulation.

(2) A person recording a sale for the purposes of subregulation (1) shall, before delivering the poison to the purchaser, record in a register kept for that purpose particulars of —

- (a) the date of sale;
- (b) the name, occupation and address of the purchaser;
- (c) the nature and quantity of the poison sold;
- (d) the address to which the poison is to be delivered, if that address differs from the address recorded under paragraph (b); and
- (e) the place and purpose of intended use,

and obtain the signature of the purchaser to the entry in the register.

(3) The register shall be kept in one of the following forms —

- (a) a book with each recording written in ink; or
- (b) in a form of electronic means.

(4) A person keeping a register for the purposes of this regulation shall —

- (a) keep that register for a period of at least 2 years at the licensed premises; and
- (b) produce the register for inspection on demand by an authorized officer.

”.

#### **Regulation 41B amended**

47. Regulation 41B of the principal regulations is amended by deleting “referred to in the Third, Fourth or Seventh Schedule” and substituting the following —

“ included in Schedule 3, 4 or 7 ”.

**Regulation 41C amended**

48. Regulation 41C of the principal regulations is amended —

- (a) by deleting “referred to in the Seventh Schedule” and substituting the following —  
“ included in Schedule 7 ”; and
- (b) in paragraph (c) by deleting “Seventh Schedule substances” and substituting the following —  
“ substances included in Schedule 7 ”.

**Regulation 42 amended**

49. Regulation 42 of the principal regulations is amended —

- (a) in subregulation (1) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —  
“ poison included in Schedule 8 ”;
- (b) in subregulation (2) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —  
“ poison included in Schedule 8 ”;
- (c) in subregulation (3) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —  
“ poison included in Schedule 8 ”; and
- (d) in subregulation (4) by deleting “drugs of addiction” and substituting the following —  
“ poisons included in Schedule 8 ”.

**Regulation 43 amended**

50. Regulation 43 of the principal regulations is amended —

- (a) in subregulation (1) by deleting “drug of addiction” in the 4 places where it occurs and substituting in each place the following —  
“ poison included in Schedule 8 ”; and
- (b) in subregulation (2) by deleting “drug of addiction” and substituting the following —  
“ poison included in Schedule 8 ”.

**Regulation 43A repealed and a regulation substituted**

51. Regulation 43A of the principal regulations is repealed and the following regulation is substituted —

“

**Revocation notice in relation to Schedule 8 poisons and specified drugs**

**43A.** The Commissioner of Health may, by notice given to a person referred to in section 23 (2) of the Act, revoke the authority conferred on that person by that section in relation to poisons included in Schedule 8 or specified drugs or both, and that revocation may be —

- (a) total or subject to strict conditions;

- (b) made in respect of all or any specified drugs or poisons to which the authority relates; and
- (c) may be amended or revoked by a further notice.

”.

**Regulation 44A amended****52. Regulation 44A of the principal regulations is amended —**

- (a) in subregulation (1) by deleting “drug of addiction” in the second place where it occurs and substituting the following —
  - “ poison included in Schedule 8 ”;
- (b) in subregulation (2) (a) by deleting “authorized by the Minister under section 54 (1) of the Act;” and substituting the following —
  - “  
declared to be an authorized officer for the purposes  
of this regulation by the Minister under section 52A  
of the Act;”;
- (c) in subregulation (3) —
  - (i) by deleting “drug of addiction” and substituting the following —
    - “ poison included in Schedule 8 ”; and
  - (ii) by deleting “Eighth Schedule drugs” in the 2 places where it occurs and substituting in each place the following —
    - “ poisons included in Schedule 8 ”;
- (d) in subregulation (4) —
  - (i) by deleting “drug of addiction” and substituting the following —
    - “ poison included in Schedule 8 ”; and
  - (ii) by deleting “destroyed drug,” and substituting the following —
    - “ destroyed poison, ”;
- (e) in subregulation (6) —
  - (i) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —
    - “ poison included in Schedule 8 ”; and
  - (ii) by deleting “the drug.” and substituting the following —
    - “ the poison. ”; and
- (f) in subregulation (7) —
  - (i) by deleting “Eighth Schedule drugs” in the 2 places where it occurs and substituting in each place the following —
    - “ poisons included in Schedule 8 or Schedule 9 ”;
    - and
  - (ii) by deleting “drugs of addiction” in the 2 places where it occurs and substituting in each place the following —
    - “ poisons included in Schedule 8 ”.

**Regulation 46 amended**

53. Regulation 46 (2) of the principal regulations is amended by deleting "a person appointed or authorized by or under the Act to inspect those records." and substituting the following —

" an authorized officer. ".

**Regulation 47 amended**

54. Regulation 47 of the principal regulations is amended —

- (a) in subregulation (2) by deleting "a person authorized by or under the Act or regulations or by a member of the Police Force" and substituting the following —

"  
an authorized officer (other than an environmental  
health officer)  
",  
and

- (b) in subregulation (6) by deleting "drug" and substituting the following —

" poison ".

**Regulation 48 amended**

55. Regulation 48 of the principal regulations is amended —

- (a) in subregulation (1) by deleting "drugs of addiction" and substituting the following —

" poisons included in Schedule 8 "; and

- (b) in subregulation (2) by deleting "drug of addiction" in the 2 places where it occurs and substituting in each place the following —

" poison included in Schedule 8 ".

**Regulation 49 amended**

56. Regulation 49 of the principal regulations is amended —

- (a) in subregulation (1) by deleting "drug of addiction" and substituting the following —

" poison included in Schedule 8 ";

- (b) in subregulation (2) by deleting "drug of addiction" in the 2 places where it occurs and substituting in each place the following —

" poison included in Schedule 8 ";

- (c) in subregulation (3) by deleting "drug of addiction" and substituting the following —

" poison included in Schedule 8 ";

- (d) in subregulation (4) by deleting "drug of addiction" in the 2 places where it occurs and substituting in each place the following —

" poison included in Schedule 8 "; and

- (e) in subregulation (5) by deleting "drug of addiction" and substituting the following —

" poison included in Schedule 8 ".

**Regulation 50 amended**

**57.** Regulation 50 of the principal regulations is amended —

- (a) in paragraph (a) by deleting “drugs of addiction” in the 2 places where it occurs and substituting in each place the following —  
“       poisons included in Schedule 8       ”;
- (b) in paragraph (b) by deleting “drugs of addiction” in the 2 places where it occurs and substituting in each place the following —  
“       poisons included in Schedule 8       ”;
- (c) in paragraph (c) —
  - (i) by deleting “drug of addiction” and substituting the following —  
“       poison included in Schedule 8       ”; and
  - (ii) by deleting “the drug” and substituting the following —  
“       the poison       ”; and
- (d) in paragraph (d) by deleting “drug of addiction” and substituting the following —  
“       poison included in Schedule 8       ”.

**Regulation 51 amended**

**58.** Regulation 51 (1) (iv) of the principal regulations is amended by deleting “the drug” in the 2 places where it occurs and substituting in each place the following —

“       the poison       ”.

**Regulation 51D amended**

**59.** Regulation 51D (1) of the principal regulations is amended by deleting “*Hospitals Act 1927*” in the 2 places where it occurs and substituting in each place the following —

“       *Hospitals and Health Services Act 1927*       ”.

**Regulation 51E amended**

**60.** Regulation 51E of the principal regulations is amended by repealing subregulation (7).

**Regulation 51F amended**

**61.** Regulation 51F of the principal regulations is amended —

- (a) in subregulation (1) by deleting “drug of addiction” and substituting the following —  
“       poison included in Schedule 8       ”;
- (b) in subregulation (2) by deleting “drug of addiction” in the 4 places where it occurs and substituting in each place the following —  
“       poison included in Schedule 8       ”;
- (c) in subregulation (4) by deleting “drug of addiction” in the 3 places where it occurs and substituting in each place the following —  
“       poison included in Schedule 8       ”;

- (d) in subregulation (6) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —
  - “ poison included in Schedule 8 ”;
- (e) in subregulation (7) by deleting “drug of addiction” and substituting the following —
  - “ poison included in Schedule 8 ”; and
- (f) by repealing subregulation (9).

#### **Regulation 51G amended**

**62.** Regulation 51G (1) of the principal regulations is amended by deleting “drugs of addiction” in the 2 places where it occurs and substituting in each place the following —

“ poisons included in Schedule 8 ”.

#### **Regulation 52 amended**

**63.** Regulation 52 of the principal regulations is amended —

- (a) in subregulation (3) —
  - (i) in subparagraphs (iii) and (iv) by deleting “drug” and substituting the following —
    - “ poison ”; and
  - (ii) by deleting “drug of addiction issued” and substituting the following —
    - “ poison included in Schedule 8 issued ”; and
- (b) in subregulation (8) by deleting “drug of addiction upon request made by any inspector appointed under the *Health Act 1911* or to any other person authorized in that behalf by the Minister.” and substituting the following —
  - “  
poison included in Schedule 8 upon request made by  
an authorized officer (other than an environmental  
health officer).  
”

#### **Regulation 52A amended**

**64.** Regulation 52A of the principal regulations is amended by deleting “wholesalers” and substituting the following —

“ wholesale suppliers ”.

#### **Regulation 52B amended**

**65.** Regulation 52B (2) of the principal regulations is amended by deleting “drug” in the 2 places where it occurs and substituting in each place the following —

“ poison ”.



**Regulation 53 amended**

66. Regulation 53 of the principal regulations is amended —

- (a) in subregulation (1) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —  
“     poison included in Schedule 8     ”; and
- (b) in subregulation (2) by deleting “drug of addiction” and substituting the following —  
“     poison included in Schedule 8     ”.

**Regulation 53A amended**

67. Regulation 53A of the principal regulations is amended —

- (a) in subregulation (1) by deleting “drugs of addiction” and substituting the following —  
“     poisons included in Schedule 8     ”; and
- (b) in subregulation (2) by deleting “drug of addiction” and substituting the following —  
“     poison included in Schedule 8     ”.

**Regulation 54 amended**

68. Regulation 54 of the principal regulations is amended —

- (a) in subregulation (1) —
  - (i) by deleting “drug of addiction” in the 2 places where it occurs and substituting in each place the following —  
“     poison included in Schedule 8     ”;
  - (ii) by deleting “drug of dependence” and substituting the following —  
“     poison included in Schedule 8     ”; and
  - (iii) in paragraph (b) by deleting “drugs” and substituting the following —  
“     poisons     ”;and
- (b) in subregulation (2) by deleting “drug of addiction” in the 4 places where it occurs and substituting in each place the following —  
“     poison included in Schedule 8     ”.

**Regulation 54A amended**

69. Regulation 54A of the principal regulations is amended by deleting “drug” and substituting the following —

“     poison     ”.

**Regulation 56 amended**

70. Regulation 56 of the principal regulations is amended —

- (a) in subregulation (1) by deleting “the drug or drugs” and substituting the following —  
“     the poison     ”;

- (b) in subregulation (2) by deleting “the drug or drugs” and substituting the following —
  - “ the poison ”;
- (c) in subregulation (3) (a) by deleting “the drug” and substituting the following —
  - “ the poison ”;
- (d) in subregulation (3) (aa) by deleting “the drug” and substituting the following —
  - “ the poison ”; and
- (e) in subregulation (3) (d) —
  - (i) by deleting “drug of addiction” and substituting the following —
    - “ poison included in Schedule 8 ”; and
  - (ii) by deleting “the drug” and substituting the following —
    - “ the poison ”.

**Regulation 56A amended**

- 71.** Regulation 56A of the principal regulations is amended —
- (a) in subregulation (1) by deleting “drug, or drugs, of addiction.” and substituting the following —
    - “ poison included in Schedule 8. ”; and
  - (b) in subregulation (2) by deleting “drug of addiction” and substituting the following —
    - “ poison included in Schedule 8 ”.

**Regulation 56E amended**

- 72.** Regulation 56E of the principal regulations is amended —
- (a) by deleting “drug of addiction” and substituting the following —
    - “ poison included in Schedule 8 ”; and
  - (b) by deleting “the drug” and substituting the following —
    - “ the poison ”.

**Regulation 56G amended**

- 73.** Regulation 56G of the principal regulations is amended —
- (a) by deleting “drug of addiction” and substituting the following —
    - “ poison included in Schedule 8 ”;
  - (b) by deleting “the drug” and substituting the following —
    - “ the poison ”; and
  - (c) by deleting “drugs of addiction.” and substituting the following —
    - “ poisons included in Schedule 8. ”.

**Regulation 56H amended**

**74.** Regulation 56H of the principal regulations is amended by deleting "drug of addiction" in the 2 places where it occurs and substituting in each place the following —

"       poison included in Schedule 8       ".

**Regulation 64 amended**

**75.** Regulation 64 (5) of the principal regulations is amended by deleting "*Hospitals Act 1927*" and substituting the following —

"       *Hospitals and Health Services Act 1927*       ".

**Regulation 65 inserted**

**76.** After regulation 64 of the principal regulations the following regulation is inserted —

"

**Form of warrant (s. 55A)**

**65.** A warrant under section 55A of the Act is to be in the form of Form 15 in Appendix A.

".

**Appendix A amended**

**77.** (1) Appendix A to the principal regulations is amended —

(a) in Form 1 —

(i) in the heading to that Form by deleting "DRUGS OF ADDICTION" and substituting the following —

"       POISONS INCLUDED IN SCHEDULE 8       "; and

(ii) by deleting "poisons specified in the \*1st, 2nd, 3rd, 4th, 6th, 7th Schedules" and substituting the following —

"       poisons included in Schedules \*1, 2, 3, 4, or 7       ";

(b) by deleting Form 1A;

(c) in Form 2 —

(i) in the heading to that Form by deleting "DRUGS OF ADDICTION" and substituting the following —

"       POISONS INCLUDED IN SCHEDULE 8       "; and

(ii) deleting "drugs of addiction" in the 3 places where it occurs and substituting in each place the following —

"       poisons included in Schedule 8       ";

(d) by deleting Form 2A;

(e) by deleting Form 3A;

(f) by deleting Form 4;

(g) by deleting Form 4A;

- (h) in Form 5 —
  - (i) in the heading to that Form by deleting “SPECIFIED IN THE 2ND OR 6TH SCHEDULE” and substituting the following —

“ INCLUDED IN SCHEDULE 2 ”; and
  - (ii) deleting “specified in the 2nd or 6th Schedules” and substituting the following —

“ included in Schedule 2 ”;
- (i) by deleting Form 5A;
- (j) in Form 6 —
  - (i) in the heading to that Form by deleting “SPECIFIED IN THE 7TH SCHEDULE” and substituting the following —

“ INCLUDED IN SCHEDULE 7 ”; and
  - (ii) deleting “specified in the 7th Schedule —” and substituting the following —

“ included in Schedule 7 — ”;
- (k) by deleting Form 6A;
- (l) in Form 6B —
  - (i) by deleting “wholesale dealers” and substituting the following —

“ wholesale suppliers ”;
  - (ii) by deleting “specified in the Second, Third or Fourth Schedules” and substituting the following —

“ included in Schedule 2, 3 or 4 ”; and
  - (iii) by deleting “wholesalers” and substituting the following —

“ wholesale suppliers ”;
- (m) by deleting Form 6C;
- (n) in Form 7 —
  - (i) by deleting “from a manufacturer or wholesale dealer”; and
  - (ii) by deleting paragraph (a) and substituting the following —

“  
(a) the poisons included in Schedules  
.....to the *Poisons Act 1964*;  
”;
- (o) by deleting Form 7A;
- (p) in Form 8 —
  - (i) in the heading to that Form by deleting “ADVISORY OR RESEARCH)” and substituting the following —

“ RESEARCH OR HEALTH SERVICES) ”;
  - (ii) by deleting “from a manufacturer or wholesale dealer”; and
  - (iii) by deleting paragraph (a) and substituting the following —

“  
(a) the poisons included in Schedules  
.....to the *Poisons Act 1964*;  
”;



- (b) there is in or on the premises set out in this warrant, or in a part of those premises (being premises used as a residence) something relevant to the investigation of that offence,

and I authorize . . . . ., an authorized officer, to exercise the entry, search and seizure powers set out in section 55 (2) of the *Poisons Act 1964* in relation to the premises named in this warrant with such assistance, and by such force, as is reasonably necessary during the time referred to in this warrant.

.....  
Signature of Justice of the Peace

.....  
Date

*(reverse of Form 15)*

#### WARRANT INFORMATION

The authorized officer named in this warrant may, during the time the warrant is effective, exercise the following powers as set out in section 55 (2) of the Act —

- (a) signal or direct the person in control of a vehicle or vessel —
- (i) to stop the vehicle or vessel;
  - (ii) to move the vehicle or vessel to a place specified by the officer;
  - (iii) not to move the vehicle or vessel;
- (b) enter and search premises, vehicles or vessels using such force as is necessary to gain entry;
- (c) break open and search any package, container or other thing in or on premises, vehicles or vessels;
- (d) search all persons found in or on premises, vehicles or vessels;
- (e) take and remove a sample of anything in or on premises, vehicles or vessels;

- (f) seize anything reasonably suspected of being relevant to the investigation of an offence against this Act.

”.

### Appendix G deleted and Appendix substituted

78. Appendix G to the principal regulations is deleted and the following Appendix is substituted —

“

#### APPENDIX G

(reg 12)

<i>Form No.</i>	<i>Description of Licence or Permit</i>	<i>Initial Fee (1 year) \$</i>	<i>Initial Fee (3 years) \$</i>	<i>Renewal (1 year) \$</i>	<i>Renewal (3 years) \$</i>
1.	Licence to procure, manufacture and supply poisons (other than poisons included in Schedule 8) by wholesale dealing ...	600	850	175	425
2.	Licence to procure, manufacture and supply by wholesale dealing poisons included in Schedule 8 .....	600	850	175	425
3.	Pharmaceutical chemist's licence to sell poisons .....	100	150	75	125
5.	Licence to sell by retail, poisons included in Schedule 2 to the <i>Poisons Act 1964</i> ....	100	150	50	100
6.	Licence to sell by retail, poisons included in Schedule 7 to the <i>Poisons Act 1964</i> ....	200	250	75	125
6B.	Poisons permit (Distribution of samples) .....	100	150	50	100
7.	Poisons permit (Industrial) —				
	(a) for poisons other than those set out in this item .....	200	250	75	125
	(b) for any one or more of the poisons set out in this item	575	1275	425	1125
	. benzene;				
	. 4,4-diaminodiphenylmethane (Methylene dianiline);				
	. 4,4'-methylenebis(2-chloroaniline);				

<i>Form No.</i>	<i>Description of Licence or Permit</i>	<i>Initial Fee (1 year) \$</i>	<i>Initial Fee (3 years) \$</i>	<i>Renewal (1 year) \$</i>	<i>Renewal (3 years) \$</i>
8.	Poisons permit (Research or health services) .....	100	150	50	100
11AA.	Stockfeed manufacturer's permit .....	200	300	75	175
13.	Poisons permit (Departmental and hospitals) —				
	(a) Departmental ..	100	150	50	100
	(b) Hospitals .....	No fee	No fee	No fee	No fee

**Appendix H amended**

79. Appendix H to the principal regulations is amended —

- (a) in the heading to that Appendix by deleting “FOURTH SCHEDULE DRUGS” and substituting the following —  
“ SCHEDULE 4 SUBSTANCES ”; and
- (b) by deleting “the Fourth Schedule to the Act.” and substituting the following —  
“ Schedule 4. ”.

**Appendix J amended**

80. Appendix J to the principal regulations is amended —

- (a) in the heading to that Appendix by deleting “THIRD SCHEDULE” and substituting the following —  
“ SCHEDULE 3 ”; and
- (b) by deleting “the Third Schedule” in the 3 places where it occurs and substituting in each place the following —  
“ Schedule 3 ”.

**Appendix K deleted**

81. Appendix K to the principal regulations is deleted.

**Appendix L amended**

82. Appendix L to the principal regulations is amended in clause 2 by deleting “Eighth Schedule prescriptions,” and substituting the following —

“ prescriptions of a poison included in Schedule 8 or 9, ”.

**Appendix M amended**

83. Appendix M to the principal regulations is amended in clause 2 (2) (a) by deleting “drug is, or drugs are,” and substituting the following —

“ poison is, or poisons are, ”.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.