

**HE301**

**POISONS ACT 1964**

**POISONS AMENDMENT REGULATIONS (NO. 9) 1994**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Poisons Amendment Regulations (No. 9) 1994*.

**Principal regulations**

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

[\* Reprinted as at 7 February 1993.  
For amendments to 13 December 1994 see 1993 Index to  
Legislation of Western Australia, Table 4, pp. 206-8, and Gazettes  
of 26 May, 24 June, and 2 and 16 September 1994.]

**Regulation 51F repealed and a regulation substituted**

**3.** Regulation 51F of the principal regulations is repealed and the following regulation substituted —

“ **Treatment not to exceed 60 days unless authorized by Commissioner of Health**

**51F.** (1) A medical practitioner shall not write, issue or authorize a prescription or document or supply a drug of addiction for the treatment of a person, other than a drug addict, for a period in excess of 60 days, or for periods that in the aggregate over the preceding 12 months exceed 60 days, or for a course of treatment exceeding 60 days, unless he has first obtained written authorization to do so from the Commissioner of Health.

(2) Where a medical practitioner has written, issued or authorized a prescription or document prescribing the use, sale or supply of a drug of addiction, for the treatment of a person other than a drug addict, or supplied a drug of addiction for the treatment of a person, other than a drug addict, for a period of 60 days, or for periods that in the aggregate over the preceding 12 months exceed 60 days, or for a course of treatment exceeding 60 days, the medical practitioner shall not thereafter write, issue or authorize a prescription or document prescribing the use, sale or supply of a drug of addiction in relation to that person or supply a drug of addiction in relation to that person unless —

- (a) the medical practitioner has first obtained written authorization under this regulation to do so from the Commissioner of Health; or
- (b) the Commissioner of Health has issued an authorization under this regulation to do so in relation to that person and the authorization is current.

(3) Notwithstanding any authorization referred to in subregulation (1) or (2) a medical practitioner shall not write, issue or authorize a prescription or document prescribing the use, sale or supply of methadone for the treatment of a person or supply methadone for the treatment of a person except for a person suffering from intractable pain arising from a condition of health other than addiction to drugs.

(4) In any authorization issued for the purposes of subregulation (1) or (2) given with respect to a particular person 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 a specified medical practitioner;
- (b) that only a specified drug of addiction be prescribed or used for treatment;
- (c) that the type of the drug of addiction specified be of the type specified;
- (d) that the amount to be prescribed or used for treatment shall not exceed the amount specified;
- (e) that the amount to be prescribed or used on any one day shall not exceed the amount specified;
- (f) that the concentration to be prescribed shall not exceed the concentration specified;
- (g) that the intervals between the issue of prescriptions or the administration of the drug of addiction shall be such as are specified;
- (h) that the prescription be supplied at the pharmacy specified;

- (i) that the amount dispensed on a single prescription not exceed such amount as is specified;
  - (j) that the amount that may be supplied on any one day shall not exceed such amount as is specified.
- (5) An authorization issued for the purposes of subregulation (1) or (2) is valid for such period as is specified unless revoked by the Commissioner of Health before the expiration of that period.
- (6) A medical practitioner shall not write, issue or authorize a prescription or document prescribing the use, sale or supply of a drug of addiction or supply a drug of addiction otherwise than in accordance with such conditions and restrictions as are specified.
- (7) A pharmaceutical chemist shall not sell or supply a drug of addiction otherwise than in accordance with such conditions and restrictions as are specified pursuant to this regulation.
- (8) An authorization issued prior to 1 October 1980 is valid until revoked by the Commissioner of Health or until it expires whichever first occurs.
- (9) In this regulation "specified" means by the Commissioner of Health in an authorization issued by him under this regulation in relation to a person other than a drug addict.

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

4. Regulation 51G (3) of the principal regulations is amended —
- (a) in paragraph (c) by deleting "16" and substituting the following —  
" 18 "; and
  - (b) in paragraph (g) by deleting "16" and substituting the following —  
" 18 ".

#### **Appendix J amended**

5. Appendix J to the principal regulations is amended by deleting "LOPERAMIDE, when included in the Third Schedule."

By His Excellency's Command,

J. I. GILL, Clerk of the Council.

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