

HE305

## POISONS ACT 1964

## POISONS AMENDMENT REGULATIONS (NO. 4) 1993

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Poisons Amendment Regulations (No. 4) 1993*.

**Commencement**

2. These regulations shall come into operation on the day that is one month after the day on which these regulations are published in the *Government Gazette*.

**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 1 September 1993 see Gazettes of 28 May, 25 June and 9 July 1993.*]

**Regulation 44 amended**

4. Regulation 44 of the principal regulations is amended in subregulation (1) by deleting "or to the effect of Appendix B or in any other form".

**Regulation 44A inserted**

5. After regulation 44 of the principal regulations the following regulation is inserted —

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**Destruction of drugs of addiction**

44A. (1) Subject to subregulations (2) and (3) a person authorized to manufacture, distribute, procure, sell or possess a drug of addiction (other than a person who possesses a drug of addiction under a prescription from a medical practitioner, dentist or veterinary surgeon) shall not wilfully destroy that drug of addiction.

(2) Subject to regulation 31 a drug of addiction may be destroyed by —

- (a) or under the personal supervision of a person authorized by the Minister under section 54 (1) of the Act; or
- (b) a police officer acting under the *Misuse of Drugs Act 1981*.

(3) Subject to regulation 31 a person referred to in subregulation (1), other than a person to whom subregulation (2) applies, who seeks to destroy a drug of addiction shall carry out that destruction under the supervision of a witness selected, in accordance with subregulation (7), from any of the following categories —

- (a) pharmaceutical chemists authorized to possess and supply Eighth Schedule drugs;

- (b) medical practitioners authorized to supply Eighth Schedule drugs; and
- (c) directors of nursing.

(4) A person who destroys a drug of addiction in accordance with subregulation (3) shall maintain a register in ink, and enter at the time of destruction —

- (a) the date of destruction;
- (b) the reasons for destruction and the name, strength and quality of the destroyed drug,

and the person and witness shall each sign the entry.

(5) A pharmaceutical chemist required to provide a monthly return under regulation 52C shall, as part of the return, provide details of the entries recorded in the register, maintained in accordance with subregulation (4), for the relevant period.

(6) Where the monthly return referred to in subregulation (5) is made —

- (a) on the original of the approved duplicate form, the details shall be entered by the person who destroyed the drug of addiction and that person and the person who supervised the destruction shall each sign the entry;
- (b) on the original of the completed printout of the approved computerised recording system, the details shall be accompanied by the name of the person who destroyed the drug of addiction and that of the witness who supervised the destruction of the drug.

(7) For the purposes of subregulation (3) a witness shall not be a member of the same category as that of the person who seeks to destroy the drug of addiction.

#### **Appendix B repealed**

6. Appendix B to the principal regulations is repealed.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

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