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Crown Law Department,
Perth, 13th July, 1972.

THE undermentioned Regulations made under the provisions of the Poisons Act, 1964, and amended from time to time up to and including the 22nd December, 1971, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954 by authority of the Attorney General.

W. J. ROBINSON,
Under Secretary for Law.

POISONS ACT, 1964.

POISONS ACT REGULATIONS, 1965.

Published in the *Government Gazette* on the 29th June, 1965, and incorporating the amendments thereto published in the *Government Gazette* on the 10th February, 1966; 16th November, 1966; 14th June, 1967; 25th October, 1967; 4th June, 1968; 28th November, 1968; 22nd September, 1969; 9th February, 1970; 12th August, 1970; 11th December, 1970; 12th February, 1971; 19th February, 1971; 26th May, 1971 and 7th September, 1971, and the amendments that, pursuant to the provisions of section 8 of the Decimal Currency Act, 1965, are deemed for the purposes of this reprint to be amendments to the regulations; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General, dated 12th July, 1972.

POISONS ACT, 1964.

POISONS ACT REGULATIONS, 1965.

Citation.

1. These regulations may be cited as the Poisons Act Regulations, 1965.

Interpretation.

2. In these regulations unless the context requires otherwise—

"Approved Name" means—

(a) the common name given to any substance by the British Standards Institution or the Australian Standards Association; or

(b) the English name by which any poison or substance is described in the British Pharmacopoeia, the Australian Pharmaceutical Formulary, or the British Pharmaceutical Codex; or

(c) if the substance is not described in the British Pharmacopoeia, the Australian Pharmaceutical Formulary, or the British Pharmaceutical Codex, the approved name as published by the General Medical Council of Great Britain; or

(d) if the substance is not described in the British Pharmacopoeia, the Australian Pharmaceutical Formulary, or the British Pharmaceutical Codex, and has not been given an approved name by the General Medical Council of Great Britain, the name given to the substance in any standard book approved by the Commissioner for the purpose of these regulations; or

(e) the systematic chemical name using the English system of nomenclature;

"Child" means a person under the age of twelve years;

"Direction" means regular and frequent supervision but does not necessarily imply continuous personal supervision;

"Dispense" in relation to a medicine or a poison means supplying the medicine or poison on and in accordance with a prescription duly given by a medical practitioner, a dentist or a veterinary surgeon;

"Experienced Person" means a person who for at least five years has been employed in the manufacture, handling or selling of poisons;

"Fourth Schedule drug" means any substance included in the Fourth Schedule to the Act;

"Internal Use" means a substance which is given parenterally, or orally, or a substance which is administered by way of a body orifice for the purpose of absorption and the production of a systemic effect;

"Manufacture" includes the processes of refining manipulating and mixing any poison or hazardous substance (including such substance in the raw state);

"New Drug" has the same meaning as that term has in and for the purposes of section 37 of the Act;

"Permit" means a permit granted pursuant to the Act;

"Personal Supervision" means close and continuous control requiring the actual presence of the person exercising the supervision;

"Poisons Cupboard" means a substantially made cupboard provided with an effective locking device, and having the word "Poison" conspicuously painted on the outside of the cupboard;

"Qualified Person" means—

(a) a medical practitioner, pharmaceutical chemist, dentist, veterinary surgeon;

(b) a person who is the holder of a degree approved by the Commissioner, conferred by a University of the British Commonwealth;

(c) a person who is eligible to be—

(i) a Fellow or Associate of the Royal Australian Chemical Institute; or

(ii) a Fellow, Associate or Licentiate of the Royal Institute of Chemistry; or

(d) any other person approved of by the Commissioner;

"Quarter" means any one of the three-monthly periods of any year ending on the 31st March, 30th June, 30th September or 31st December;

"Sale" includes exposing or offering for sale or having in possession for sale, whether by wholesale or retail, and also delivery with or without consideration, in any shop or store or premises appurtenant thereto by the keeper thereof or by his servant or agent; and the verb "to sell" has a corresponding meaning;

"Supply" includes "distribute" and "sell" but the administration to a patient of any substance specified in any of the Schedules to the Act by a medical practitioner or dentist, or by a nurse when acting under the direction of a medical practitioner, or the administration of any substance specified in any of the Schedules to the Act to an animal under the direct personal supervision or under the direction of a veterinary surgeon, shall not be deemed to be supplying within the meaning of these regulations;

"the Act" means the Poisons Act, 1964.

Licences and Permits.

3. A licence to procure, manufacture and supply by wholesale dealing poisons (other than drugs of addiction) shall authorise the licensee to procure, manufacture and supply (according to the endorsement thereon) by wholesale dealing such substances as are specified in the licence, and shall be in the Form No. 1 in Appendix A to these regulations.

4. (1) A licence to procure, manufacture and supply by wholesale dealing drugs of addiction shall authorise the licensee to procure, manufacture, and supply by wholesale dealing drugs of addiction on or from the premises described in the licence, and shall be in the Form No. 2 in Appendix A to these regulations.

(2) In addition to any other conditions required by these regulations the licence shall be subject to the following conditions:—

(a) The manufacture shall be carried out—

(i) by a qualified person whose name appears on the licence; or

(ii) by an experienced person acting under the personal supervision of a qualified person whose name appears on the licence;

(b) the supply shall be carried out—

(i) by a qualified person whose name appears on the licence; or

(ii) by an experienced person whose name appears on the licence;

but should the person whose name appears on the licence cease employment or be unable to exercise the necessary supervision, the Commissioner may authorise, in writing, some other person having the required qualification to act in his stead.

Pharmaceutical Chemist's Licence to Sell Poisons.

5. A pharmaceutical chemist shall not sell or supply any poison except at or from a pharmacy registered under the Pharmacy Act, 1964, and described in the licence issued under these regulations as provided in Form No. 3 in Appendix A to these regulations.

Retailer's Licence to Sell Poisons Specified in the Sixth Schedule to the Act.

6. This licence shall authorise the licensee to procure, and to sell by retail, the poisons specified in the Sixth Schedule to the Act, at the premises described in the licence, and shall be in the Form No. 4 in Appendix A to these regulations.

Retailer's Licence to Sell Poisons Specified in the First, Second or Sixth Schedules to the Act.

7. This licence shall authorise the licensee to procure, and to sell by retail, poisons specified in either the First, Second or Sixth Schedules to the Act at the premises described in the licence, and shall be in the Form No. 5 in Appendix A to these regulations.

Retailer's Licence to Sell Poisons Specified in the Seventh Schedule to the Act.

8. This licence shall authorise the licensee to procure, and to sell by retail, poisons specified in the Seventh Schedule to the Act at the premises described in the licence, and shall be in the Form No. 6 in Appendix A to these regulations.

Poisons Permit (Distribution of Samples).

Reg. 8A added by G.G. 22/9/69, pp. 2874-6.

8A. (1) This permit shall, subject to the succeeding provisions of this regulation, authorise the holder to procure from any manufacturer or wholesale dealer specified therein and to supply to certain persons, samples of poisons specified in the First, Second, Third or Fourth Schedules to the Act and the permit shall be in the Form No. 6B. in Appendix A to these regulations.

(2) A permit under this regulation may be granted only to a person who is—

(a) a representative of a person—

(i) licensed to manufacture poisons or to supply poisons by wholesale dealing; or

(ii) licensed under the provisions of the laws of any other State or Territory of the Commonwealth to manufacture poisons or to supply poisons by wholesale dealing;

(b) not less than 21 years of age; and

(c) of good character,

and the holder of a permit shall, for the purposes of these regulations be known as a detailer.

(3) A permit under this regulation shall contain the name and address of the detailer and the name of each manufacturer or wholesale dealer whom he represents.

(4) Where a detailer ceases to represent a manufacturer or wholesale dealer named in his permit—

(a) the permit shall thereupon cease to authorise the detailer to procure samples from that manufacturer or wholesale dealer or to supply to any person samples procured at any time from that manufacturer or wholesale dealer;

(b) the detailer shall return to the manufacturer or wholesale dealer any samples that were procured from the manufacturer or wholesale dealer and that are still in the possession or control of the detailer; and

(c) within seven days of ceasing to represent the manufacturer or wholesale dealer, the detailer shall advise the Commissioner in writing of the fact and deliver up therewith his permit to the Commissioner, and the Commissioner shall delete from the permit the name of the manufacturer or wholesale dealer or shall cancel the permit, as the case requires.

(5) A detailer shall not supply a sample to any person who is not—

(a) a medical practitioner;

(b) a veterinary surgeon;

(c) a dentist; or

(d) a pharmacist.

(6) A detailer shall not procure, carry or supply a sample that is larger than is required to provide 7 days of therapeutic treatment, according to the directions for maximum dosage supplied with the sample, except for the purpose of satisfying a prior request for a larger sample that has been made in writing by the person seeking to be supplied with such a sample to the manufacturer or wholesale dealer whom the detailer represents.

(7) The provisions of subregulation (6) of this regulation do not apply to a sample of a proprietary preparation where—

(a) that sample is of a size not exceeding the smallest size manufactured for sale of that proprietary preparation; and

(b) the Commissioner on the recommendation of the Poisons Advisory Committee has declared such a sample to be a sample to which subregulation (6) of this regulation does not apply, notwithstanding that the sample may be larger than is required to provide 7 days of therapeutic treatment.

(8) A detailer shall not carry more than—

(a) 25 samples of any single proprietary preparation; or

(b) samples of more than 5 different proprietary preparations,

in a vehicle at any one time.

(9) Where the proper storage of a poison requires that poison to be stored under special conditions or at specific temperatures, a detailer shall not store or transport that poison except in a manner which maintains those conditions or temperatures.

(10) Subject to subregulation (11) of this regulation, a detailer shall not cause or permit samples in his possession or control to be stored other than—

(a) on the premises of the manufacturer or wholesale dealer whom he represents; or

(b) at his address as specified in his permit.

(11) A detailer may keep samples in a vehicle while he is actually using that vehicle in the course of his business, but at no other time.

(12) Where pursuant to this regulation samples are stored at an address specified in a detailer's permit which is not a wholesaler's premises, the detailer shall cause those samples to be stored in a locked cupboard or locked refrigerator and a detailer shall not cause or permit—

(a) more than 100 samples of any single proprietary preparation; or

(b) samples of more than 5 different proprietary preparations,

to be kept at that address at any one time.

(13) A detailer shall not supply a sample unless—

(a) he has received a signed request from a person to whom he is authorised in accordance with subregulation (5) of this regulation to supply the sample; and

(b) immediately upon supplying the sample, he signs and dates the request form to certify that the sample has been delivered.

(14) A detailer shall keep a record of every sample received or supplied by him and shall preserve all records so kept together with consignment notes, invoices, advice notes and request forms relating thereto, for not less than two years.

(15) Upon receiving a written request from the Commissioner, a detailer shall submit all records of samples received and delivered and shall make an account of those samples to the Commissioner or a person authorised in accordance with section 54 of the Act.

(16) For the purposes of this regulation—

"proprietary preparation" means one or more forms of a poison intended for therapeutic use boxed or wrapped in a single sample package;

"sample" means a sample package containing a poison intended for therapeutic use specified in the First, Second, Third or Fourth Schedule to these regulations.

Poisons Permit (Industrial).

9. This permit shall authorise the holder to purchase from a manufacturer or wholesale dealer such poisons as are specified in the permit, which shall be in the Form No. 7 in Appendix A to these regulations.

Poisons Permit (Educational, Advisory or Research).

10. This permit shall authorise the holder to purchase from a manufacturer or wholesale dealer such poisons as are specified in the permit, which shall be in the Form No. 8 in Appendix A to these regulations.

Poisons Permit (Departmental and Hospital).

Reg. 10A added by G.G. 14/6/67, p. 1582.

10A. (1) This permit shall authorise the holder to purchase from a manufacturer or wholesale dealer such poisons as are specified in the permit which shall be in the Form No. 13 in Appendix A to these regulations and shall not, except in the case of a permit held by a public hospital, authorise the sale of any poison obtained by the permit holder under the authority of the permit.

(2) This permit may be granted only to—

(a) a Department or instrumentality of the State or of the Commonwealth; and

(b) a public hospital within the meaning of the Hospitals Act, 1927.

Licence to Hawk, Peddle or Distribute Poisons.

11. This licence issued under section 48 of the Act shall authorise the licensee to sell or distribute in the areas specified in the licence such poisons as are included in the licence, subject to the conditions, limitations and restrictions specified therein, and such licence shall be in the Form No. 9 in Appendix A to these regulations.

Application for Licences or Permits.

12. (1) A person desirous of obtaining a licence or permit pursuant to these regulations shall lodge with the Commissioner an application in or to the effect of such of the Forms Nos. 1A to 11A in Appendix A to these regulations as is appropriate in the particular case, together with the appropriate fee prescribed in Appendix G to these regulations.

(2) 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.

Licences and Permits—General Conditions.

13. Every licence or permit issued pursuant to these regulations shall be subject to these regulations and the conditions, limitations and restrictions set out in the licence or permit.

14. Every licence or permit issued pursuant to these regulations shall be valid until the thirtieth of June next following the day of issue, unless sooner cancelled, suspended or revoked, and may thereafter be renewed annually at the discretion of the Commissioner on payment of the prescribed fee (if any).

15. A licence or permit shall not be issued to any person under the age of 21 years, unless he is a qualified person approved by the Commissioner.

16. A sale of any poison shall not be made by any person other than the licensee or a person, not less than 18 years of age, acting on his behalf.

17. A licence or permit is not transferable from one person to another.

Provided that—

(a) a licence or permit held in the name of a person on behalf of a firm or corporate body may, on endorsement by the Commissioner, be transferred into the name of another person on behalf of the firm or corporate body;

(b) the holder of a licence or permit who ceases to carry on or conduct the business or practice to which the licence or permit relates shall within 14 days surrender such licence or permit to the Commissioner.

18. The holder of a licence shall keep such licence displayed in a conspicuous place within the premises specified in the licence.

Containers.

19. (1) This regulation does not apply in respect of a vessel containing a medicine made up ready for human internal use or for animal internal use.

Reg. 19 substituted by G.G. 26/5/71, pp. 1771-3.

(2) Except as provided by these regulations, the immediate container in which any poison or hazardous substance is stored, sold, supplied or transported—

(a) shall be impervious to its contents;

(b) shall not be capable of reacting with its contents;

(c) shall be of sufficient strength and capacity to withstand the ordinary risks of breakage and expansion during storage, handling or transport without leakage; and

(d) shall be securely closed and, except where it contains a preparation packed for use on one occasion only, shall be capable of being securely reclosed.

(3) An immediate container on which the name of any poison or hazardous substance is embossed or otherwise permanently marked shall not be used except to contain that poison or hazardous substance.

(4) Subject to the provisions of subregulation (6) of this regulation, a hazardous substance shall not be sold unless the vessel immediately containing it—

(a) is embossed with or has indelibly written thereon the words "Not to be used as a food container" or the words "Not to be taken"; and

(b) is readily distinguishable from any type of container in which food, wine or other beverage is ordinarily sold.

(5) Subject to the provisions of subregulation (6) and subregulation (7) of this regulation, no hazardous substance which is referred to in the Fifth Schedule to the Act under any of the following descriptions,

HYDROCARBONS, LIQUID
KEROSINE
METHYLATED SPIRIT
MINERAL TURPENTINE
OIL OF TURPENTINE
PETROL
WHITE SPIRIT,

shall be sold uniess the vessel immediately containing it complies with the requirements of subregulation (8) or subregulation (9) of this regulation.

(6) A vessel containing a poison or hazardous substance made up as a medicament for eye, ear or nose in the form of drops or a spray and which contains fifteen millilitres or less of medicament is not required to comply with the requirements of subregulations (4), (5) or (9) of this regulation.

(7) A vessel containing a poison or hazardous substance made up as a medicament for the eye in the form of drops—

(a) must be capable of being sterilised;

(b) must have a locking cap secured with a screw or bayonet type fitting and adapted for the proper delivery of drops;

(c) must comply with the requirements of paragraph (b) of subregulation (9) of this regulation where the vessel has a capacity exceeding fifteen millilitres;

(d) is not required to be of any particular colour.

(8) A poison shall not be sold in any immediate container having a capacity exceeding two litres unless the word "POISON" appears in letters which are—

(a) not less than half an inch in height; or

(b) of a height which is not less than one-thirtysecond of the depth or width of the container,

whichever measure gives the greatest dimension, and is embossed, or indelibly written in colour contrast to the ground colour, on the side of that container.

(9) Subject to subregulation (6) and subregulation (7) of this regulation, a poison shall not be sold in any immediate container having a capacity of two litres or less unless that container complies with the following conditions—

(a) A bottle or jar shall have the word "POISON" or the words "Not to be taken" appearing in raised lettering on the outer surface.

(b) A bottle or jar shall be provided with prominent vertical ribs or grooves, or prominent points or stars, which shall be of sufficient number to render the vessel distinguishable by sight and touch—

(i) from bottles or jars ordinarily used as containers for any food, drink or condiment;

(ii) from a vessel ordinarily used as a container for medicine for internal use; and

(iii) as a vessel reserved to contain poison.

(c) A bottle or jar shall be provided with a panel, or panels free from ribs, grooves, points or stars of sufficient area for the purposes of labelling.

(d) A bottle or jar made of glass shall be colourless or brown in colour.

(e) A bottle or jar made of plastic shall comply with the Australian Standard Specification for Plastic Containers for Poisonous Substances as published by the Standards Association of Australia.

(10) A paper bag shall not be used as the sole container of any poison unless the bag is of a type approved by the Commissioner for that purpose.

Reg. 19A added by G.G. 26/5/71, p. 1773.

19A. A person shall not sell any food, drink, or condiment, or any drug or medicine for internal use, in a container—

(a) of a description which is not readily distinguishable by sight and touch from a container in which a poison or hazardous substance intended for external use may be sold; or

(b) of a like description to that prescribed for a container in which a poison or hazardous substance intended for external use may be sold.

Labels.

20. Except as provided by these regulations, a person shall not sell any poison or hazardous substance unless the container immediately containing it bears thereon or has securely affixed to it a label bearing the following particulars appropriate to the Schedule to the Act in which the poison or hazardous substance is specified, and any other required particulars:—

First Schedule to the Act.

(a) POISON

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) Name and address of manufacturer, wholesaler or retailer.

(e) First aid measures if the substance is included in Appendix C to these regulations.

Second Schedule to the Act.

When not prepared and packed for internal use.

(a) POISON

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) Name and address of manufacturer, wholesaler or retailer.

(e) First aid measures if the substance is included in Appendix C to these regulations.

When prepared and packed for internal use.

(a) CAUTION.

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) Use strictly in accordance with directions.

(e) Name and address of manufacturer, wholesaler or retailer.

Third Schedule to the Act.

(a) CAUTION.

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) Use strictly as directed.

(e) Directions for use.

(f) First Aid measures if the substance is included in Appendix C to these regulations.

Fourth Schedule to the Act.

(a) CAUTION.

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) Use only on prescription.

(e) When supplied by wholesale—manufacturer's or wholesaler's name and address.

When supplied by retail—name and address of retail vendor.

Fifth Schedule to the Act.

(a) CAUTION.

(b) Keep out of reach of children.

(c) The approved name of the hazardous substance or hazardous substances and the proportion or percentage of that hazardous substance or those hazardous substances in the contents.

(d) If swallowed seek medical advice.

(e) First Aid measures if the substance is included in Appendix C to these regulations.

(f) If the substance is included in Appendix D to these regulations, the label shall contain the wording specified therein.

(g) Name and address of manufacturer, wholesaler or retailer.

Sixth Schedule to the Act.

(a) POISON.

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) First Aid measures if the substance is included in Appendix C to these regulations.

(e) If the substance is included in Appendix D to these regulations, the label shall contain the wording specified therein.

(f) Name and address of manufacturer, wholesaler or retailer.

Seventh Schedule to the Act.

Substances in this Schedule shall be labelled according to the requirements set out in Appendix E to these regulations.

Eighth Schedule to the Act.

(a) POISON.

(b) Keep out of reach of children.

(c) The approved name of the poison or poisons and the proportion or percentage of that poison or those poisons in the contents.

(d) Supply without prescription or possession without authority is illegal.

(e) Manufacurer's or supplier's name and address.

21. Notwithstanding the provisions of regulation 20 of these regulations, a medicine containing any poison dispensed or supplied by a pharmaceutical chemist—

(i) for human internal use shall comply with this regulation if it is labelled according to the instructions given on the prescription, together with the identifying number of the prescription and the name and address of the pharmacy at which it is supplied;

(ii) for external therapeutic use shall comply with this regulation if it is labelled with the words "not to be taken" together with the directions, prescription identification number and the name and address of the pharmacy at which it is supplied.

22. Wherever the word "Poison" or "Caution" is required to be shown on a label it shall appear in red on a white background and be surrounded by a red frame. Such word shall form the first line of the principal label and no other word or words shall appear on the same line. The word "Poison" or "Caution" as the case may be shall be in bold face sans serif capital letters of a size not less than half the size of the largest lettering on the label and in any case not less than six points face measurement.

23. A label shall not be attached or affixed to any bottle containing any poison or hazardous substance in such a manner that the embossed points, ridges, flutes, stars, name of the article or the prescribed words blown thereon are covered or obliterated: Provided that the label may cover the front panel of the bottle and extend around the adjacent sides, if the embossed matter on the back panel of the bottle and the name of the article and the prescribed words blown thereon are not covered or obliterated.

24. Any preparation containing any poison or hazardous substance which is supplied for veterinary use, whether in pursuance of a prescription or otherwise, shall be labelled "For veterinary use only" or "For animal treatment only".

Containers and Labels—General.

25. The Commissioner may approve, in writing, a container or label which does not comply with these regulations if, having regard to the nature of the poison and the purpose for which it is to be used, it is unlikely that the interests of safety will be adversely affected by the use of such container or label.

26. The Commissioner may, in the interest of safety, suspend or prohibit the use of any form of container or label for the packing or labelling of any poison.

27. Wherever it is required that the words—

"Keep out of reach of children" or

"First Aid Measures" or

the approved name of the poison or poisons

shall appear on a label, such words or particulars shall be shown—

(a) in bold face sans serif capitals of not less than six points face measurement; and

(b) in such colour or colours as to afford a distinct contrast to the background colour.

27A. Every preparation containing a poison dispensed by count by a pharmaceutical chemist on the prescription of a medical practitioner, dentist or veterinary surgeon shall be placed in a container that is labelled, unless the prescriber of the preparation directs otherwise, with particulars in terms of at least one of the following paragraphs— **Reg. 27A added by G.G. 16/11/66, p. 2935.**

(a) the name of each poison as shown in the prescription; or

(b) the trade name of the preparation; or

(c) the approved name of each poison present in the preparation.

Calculation or Percentages.

28. Where required, percentages may be expressed in units other than those in section 51 of the Act.

Storage.

29. Any person having a poison specified in Appendix F to these regulations in or on any premises for the purpose of sale, or to be used in his profession, business, trade or industry shall subject to regulations 56A and 56B store that poison in a poisons cupboard securely locked, which cupboard shall be securely fastened to a portion of the premises and not be used for any purpose other than the storage of poison. **Reg. 29 amended by G.G. 7/9/71, p. 3278.**

Provided that when such poison is stored in bulk quantities it may be stored in a securely locked room, approved by the Commissioner and reserved for the storage of poison, but the cupboards or safes in which Eighth Schedule poisons are stored shall not bear the word "poison" on the outside.

30. Any person having a hazardous substance or a poison, other than those specified in Appendix F to these regulations, in or on any premises for the purpose of sale or use in his profession, business, trade or industry shall keep that poison or hazardous substance in such a manner as to preclude contamination of any food, drink or condiment by the poison or hazardous substance; and to preclude access to the poison or hazardous substance by children.

Disposal of Poisons.

31. A person shall not dispose of any poison in any place or manner likely to constitute a risk to the public.

Notification of Loss or Theft of Poison.

32. Every person who loses any poison or from whom any poison is stolen shall immediately notify a member of the Police Force of such loss or theft.

Poison Not to be Sold to Persons Under 16 years.

33. A person who sells or supplies any poison to any person who is apparently under sixteen years of age commits an offence against these regulations, but this regulation does not apply to sales of pharmaceutical preparations or medicines by persons licensed to sell poisons by retail.

Arsenic and Strychnine to be Coloured.

34. (1) It is an offence against these regulations—

(a) to sell any arsenic or any preparation or compound of arsenic which in its natural state is colourless or white in colour unless such arsenic, preparation or compound is mixed with some black substance in a proportion sufficient to render the mixture a gray colour; or

(b) to sell any strychnine or any preparation or compound of strychnine which is in its natural state is colourless or white in colour unless such strychnine, preparation or compound is mixed with some red substance in a proportion sufficient to render the mixture a pink colour.

(2) Notwithstanding the provisions of subregulation (1) of this regulation whenever according to the representation of the purchaser the arsenic or strychnine or compound or preparation of arsenic or strychnine is not required for pastoral or agricultural use or for the destruction of vermin, but is required for a purpose for which the colouring matter would render it unfit, such poison may be sold without such admixture.

PRESCRIBED POISONS AND CLASSES OF POISONS.

Reg. 34A added by *G.G.* 4/6/68, p. 1965.

34A. (1) Strychnine is a prescribed poison for the purposes of section 31 of the Act.

(2) The book required to be kept under section 31 of the Act shall be entitled "Register of Prescribed Poisons Sold or Supplied" shall be in the form set out in Appendix I of these regulations, and shall be kept at the place of business of the seller.

(3) Before a seller delivers to a purchaser any poison or class of poison prescribed for the purposes of section 31 of the Act and sold by retail other than on an order by letter, telegram or radiogram the seller shall—

(a) require the proposed purchaser to state his full name, address and occupation and the purpose for which he requires the poison;

(b) enter in the Register of Prescribed Poisons Sold and Supplied—

(i) the date of the sale;

(ii) the particulars obtained pursuant to paragraph (a) of this subregulation; and

(iii) the name and quantity of each poison sold;

(c) sign the entry made pursuant to paragraph (b) of this subregulation and obtain the signature of the purchaser to that entry.

(4) Before a seller delivers to a purchaser any poison or class of poison prescribed for the purposes of section 31 of the Act and sold by retail on an order by letter, telegram or radiogram the seller shall—

(a) enter in the Register of Prescribed Poisons Sold or Supplied—

(i) the date of sale;

(ii) the full name, address and occupation of the purchaser;

(iii) the purpose for which the purchaser requires the poison;

(iv) the name and quantity of each poison sold; and

(v) a reference identifying the document by which the order was made;

(b) mark on the document by which the order was made the book and page number of the entries made pursuant to paragraph (a) of this subregulation and file that document in a safe place.

(5) Subregulations (3) and (4) of this regulation do not apply to the sale or delivery of strychnine to be used for therapeutic purposes on humans or animals.

34B. Strychnine is a prescribed poison for the purposes of section 34 of the Act.

Reg. 34B added by *G.G.* 4/6/68, p. 1965.

34C. For the purposes of regulations 34A and 34B of these regulations "strychnine" includes any substance containing more than 0.2 per cent. of strychnine.

Reg. 34C added by *G.G.* 4/6/68, p. 1965.

New Drugs.

35. (1) Before any new drug is first offered for sale to the public the manufacturer, importer or distributor, as the case may require, shall make application to the Commissioner to classify the new drug by determining the Schedule (if any) to the Act in which it is to be included.

(2) An application made under this regulation shall be in Form No. 10 of Appendix A to these regulations.

Restrictions on Sale by Retail of Carbromal or Bromvaletone.

Heading and Reg. 35A added by *G.G.* 28/11/68, p. 3458.

35A. (1) A person shall not sell—

(a) the substance carbromal;

(b) the substance bromvaletone; or

(c) a substance containing—

(i) the substance carbromal or the substance bromvaletone; or

(ii) both the substances carbromal and bromvaletone,

to any person who is apparently under the age of twenty-one years.

(2) Before a substance referred to in pargaraph (a), (b) or (c) of subregulation (1) of this regulation is delivered to a purchaser on a sale by retail, the seller shall—

(a) record, in ink, in a register kept by him for the purpose particulars of—

(i) the date of sale;

(ii) the occupation and address of the purchaser; and

(iii) the nature and quantity of the substance sold;

and

(b) obtain the signature of the purchaser to the entry made pursuant to paragraph (a) of this subregulation.

(3) The register kept by a person pursuant to subregulation (2) of this regulation shall be available, at all times, on his business premises, for the inspection by persons authorised under the Act or these regulations.

(4) The seller shall retain the records required to be made under this regulation for a period of at least two years.

Supply of Fourth Schedule Drugs.

Reg. 36 amended by G.G. 19/2/71, pp. 518-9.

36. (1) Subject to the Act and these regulations a Fourth Schedule drug shall not be sold or supplied to any person unless—

(a) he is authorised under regulation 40 of these regulations to procure the drug; or

(b) he is the holder of a prescription written by a medical practitioner, dentist or veterinary surgeon, prescribing the drug according to the requirements of these regulations.

(2) A medical practitioner, pharmaceutical chemist, or veterinary surgeon or an assistant under the direct personal supervision of a medical practitioner, pharmaceutical chemist, or veterinary surgeon shall be the only person who shall dispense a Fourth Schedule drug.

(3) The following conditions shall be observed by persons dispensing such prescriptions:—

(a) The prescription shall not be dispensed more than the maximum number of times indicated thereon, and on each occasion upon which it is dispensed the prescription shall be stamped or marked to show clearly the date upon which it is dispensed and the name and address of the pharmacy at which it is dispensed.

(b) The person who dispenses a prescription which does not clearly indicate the maximum number of times it is to be dispensed, or which has reached the last occasion upon which it may be dispensed according to the maximum indicated thereon, shall write in ink, stamp or mark in legible letters across such prescription the word "cancelled".

(c) (i) For the purpose of this paragraph any card system photographic system, or other reference system, of recording the details of prescriptions required by this paragraph and which is approved by the Commissioner shall be deemed to be the Prescription Book;

(ii) before the drug is handed to the purchaser the following details from the prescription shall be entered into the prescription book—

the name and quantity of the drug, the direction for use (if applicable), the date of issue of the prescription, the name and address of the patient, the name and address, or the name and identifying initials, of the prescriber, the date of dispensing the prescription, and the entry shall be given an identifying letter or number or combination of letter and number;

(iii) in the event of the dispensing of a repeated prescription an annotation of this fact showing the date of the repeat on the original entry in the Prescription Book shall be sufficient compliance with this regulation;

(iv) the label on the bottle or package containing the drug shall be marked with the identifying letter or number of the prescription as appearing in the Prescription Book; and

(v) the Prescription Book shall be kept at the place at which the Fourth Schedule drug was dispensed and shall be produced on demand to any person authorised in that behalf under the Act or these regulations.

(d) A prescription marked "cancelled" or that is more than six months old shall not be dispensed.

(e) A prescription which is illegible or defaced or which appears to be for the purpose of enabling some unauthorised person to obtain a Fourth Schedule drug, or which does not appear to be genuine, shall not be dispensed.

(f) A pharmaceutical chemist to whom a prescription referred to in paragraph (e) of this subregulation is presented shall retain the prescription and forthwith inform the Commissioner of the relevant circumstances and the reasons for his refusal to dispense the prescription.

(g) A pharmaceutical chemist may dispense a prescription not bearing the address of the patient or the prescriber or both if he keeps a record of the prescription and notifies the Commissioner concerning it.

Reg. 37 substituted by G.G. 19/2/71, p. 519.

37. A prescription for a Fourth Schedule drug shall comply with the following conditions:—

(a) it shall show in a clearly legible and indelible manner—

(i) the name and address of prescriber;

(ii) the address of the patient, but in the case of a prescription for a pharmaceutical benefit under the Commonwealth National Health Act, 1953, the patient's pension number shall be sufficient in place of the patient's address;

(b) there shall be written in ink in the prescriber's own handwriting—

(i) the name of the patient;

(ii) the name and quantity of the substance;

(iii) directions for use, if necessary;

(iv) the date on which it is written;

(v) the maximum number of times it may be repeated, if any, and (where applicable) the intervals at which it may be repeated; and

(vi) the signature of the prescriber;

(c) a prescription written by a dentist shall be for dental purposes only and shall be marked as such and a prescription written by a veterinary surgeon shall be for veterinary use only and shall be marked "For veterinary use only" or "For animal treatment only";

(d) if a prescription contains an unusual dose the prescriber shall indicate that such a dose is intended by underlining that part of the prescription and initialling the same in the margin;

(e) a prescription shall not bear the impression of a rubber stamp or other such contrivance in lieu of the written signature of the medical practitioner, dentist or veterinary surgeon by whom it has been written; and

(f) a prescription shall not be written in cipher.

Dispensing Fourth Schedule Drugs in Emergency Cases.

38. Where a medical practitioner, dentist or veterinary surgeon in a case of emergency orally or by telephone or telegram directs the dispensing of a Fourth Schedule drug, he shall forthwith write a prescription complying with the conditions prescribed in regulation 37 of these regulations, mark such prescription to show that it has been given as a confirmation of instructions given by him orally or by telephone or telegram, and despatch such prescription within 24 hours to the person to whom the instructions were given.

Fourth Schedule Drugs for Veterinary Use.

39. (1) Notwithstanding the provisions of regulation 36 of these regulations, a pharmaceutical chemist is authorised to supply for veterinary use a Fourth Schedule drug listed in Appendix H to these regulations without a prescription if in the circumstances the purchaser satisfies such pharmaceutical chemist that it is not reasonably practicable for him to obtain such a prescription provided that he records in a book kept for the purpose details showing the name and address of the purchaser and the form and quantity of the drug supplied.

(2) Any preparation containing a Fourth Schedule drug for veteripary use which is registered under the Veterinary Medicines Act and labelled in accordance with the requirements of that Act and the regulations made thereunder may be sold, without prescription, by a pharmaceutical chemist or by a person holding a permit as provided in Form No. 11 in Appendix A to these regulations.

Special Authority to Purchase Fourth Schedule Drugs.

40. Until in any particular case such authority is withdrawn—

(a) a medical practitioner;

(b) a pharmaceutical chemist;

(c) a dentist;

(d) a veterinary surgeon;

(e) an analyst appointed under the Health Act, 1911;

(f) a matron of a hospital registered under the Hospitals Act, 1927;

(g) any other person authorised in writing by the Commissioner

is authorised to procure any Fourth Schedule drug to the extent that it is required for the purpose of his profession or employment, but such authority does not entitle any person to have in his possession any Fourth Schedule drug in quantity greater than is permitted by the Commissioner.

Delivery of a Fourth Schedule Drug on Order.

41. (1) A Fourth Schedule drug shall not be delivered to any person other than a person authorised by these regulations to purchase the drug or except on the authority of a written order signed by such authorised person, and the person supplying the drug shall satisfy himself that the authority is genuine.

(2) This regulation shall not be deemed to apply to medicines dispensed in pursuance of the foregoing regulations relating to the dispensing of Fourth Schedule drugs.

DRUGS OF ADDICTION.

Authority for Prescribed Persons to Procure and have Drugs of Addiction.

Reg. 42 amended by *G.G.* 9/2/70, p. 370.

42. (1) Until in any particular case such authority is withdrawn—

(a) a medical practitioner;

(b) a pharmaceutical chemist employed in dispensing medicines at any public hospital or at a pharmacy for which a licence is held under regulation 5 of these regulations;

(c) a dentist;

(d) a veterinary surgeon;

(e) an analyst registered under the Health Act, 1911;

(f) a nurse employed in a public hospital (so far as the possession or use of such drug of addiction is required in connection with its administration to a patient under the instruction of a medical practitioner); and

(g) a person in possession of a permit granted by the Commissioner under these regulations,

is, subject to these regulations, hereby authorised to procure and be in possession of any drug of addiction for the purpose of his profession or employment.

(2) A person to whom a prescription for a drug of addiction has been given is hereby authorised to procure and have possession of the drug of addiction to the extent specified in the prescription.

(3) The authority under this regulation to procure and be in the possession of any drug of addiction does not entitle the holder to procure or have in his possession any drug of addiction in any quantity greater than is permitted by the Commissioner.

Authority for Pharmacists to Retail, Compound and Dispense Drugs of Addiction.

43. (1) Until in any particular case such authority is withdrawn, every pharmaceutical chemist holding a Pharmaceutical Chemist's licence to sell poisons under these regulations is hereby authorised, subject to the conditions, limitations and restrictions imposed by the Commissioner, to procure and to manufacture at his registered premises in the ordinary course of his retail business any preparation, admixture, or extract

of any drug of addiction, and to carry on at his registered premises the business of dispensing or compounding any drug of addiction, and also of retailing and supplying a drug of addiction, but only to persons licensed or authorised under these regulations to be in possession of or to procure the drug of addiction.

(2) The authority under this regulation does not in any way entitle the holder to procure, manufacture, sell, distribute, supply, or have in his possession any drug of addiction in any quantity greater than is permitted by the Commissioner.

Authority to procure, possess, etc. Drugs of Addiction and Specified Drugs may be revoked, etc.

Heading and Reg. 43A added by *G.G.* 9/2/70, p. 370.

43A. The Commissioner may, by notice served upon a person referred to in subsection (2) of section 23 of the Act, subregulation (1) of regulation 42 or subregulation (1) of regulation 43 of these regulations:—

(a) revoke, either wholly or in part, any authority conferred on that person by subsection (2) of section 23 of the Act or by these regulations with respect to drugs of addiction and specified drugs; or

(b) impose such conditions, restrictions or limitations as are specified in the notice on the authority conferred on that person by subsection 2 of section 23 of the Act or by these regulations, to procure, possess, manufacture, use, sell or supply any drug of addiction or specified drug.

Register of Drugs of Addiction.

44. (1) Any person authorised to manufacture, distribute, sell or possess any drug of addiction (other than a person having possession by the authority of a prescription from a medical practitioner or veterinary surgeon to the extent shown in the prescription) shall keep or cause to be kept a Register in the form or to the effect of Appendix B to these regulations, and shall enter or cause to be entered in such Register accurate records of the drugs of addiction manufactured, procured, used, supplied or kept by him or on his behalf.

(2) The entries in such Register shall be written in ink on the day of the transaction, and such Register shall be kept on the premises at which the drugs of addiction are kept, manufactured, or disposed of; and where the holder of a licence or other authorised person has drugs of addiction on other premises, he shall keep, or cause to be kept, such Register on those premises also.

(3) All such Registers shall be at all times available for inspection by persons authorised by or under the Act or the regulations to inspect such Registers.

(4) Alterations, obliterations or cancellations shall not be made in any Register, but any mistake made in any entry may be corrected by a marginal or foot note, initialled and dated.

(5) Every person required by these regulations to keep a Register of Drugs of Addiction shall enter in the Register—

(a) the name and quantity of every drug of addiction received, maufactured, sold, used or otherwise disposed of;

(b) the date of each transaction;

(c) the name and address of the person or firm concerned in each transaction;

(d) the balance remaining on hand after each transaction;

(e) in the case of a pharmaceutical chemist the identfying number of the prescription;

(f) in the case of a manufacturer or distributor an identifying number of the order or other authority on which the drug of addiction is supplied.

(6) A separate page of the Register shall be used for each drug of addiction recorded, so that the balance on hand at any time in respect of each drug of addiction will be clearly apparent.

Inventory of Drugs of Addiction.

45. (1) An inventory of drugs of addiction held in stock shall be made—

(a) at intervals of not more than one month by every person required to keep a Register of Drugs of Addiction; and

(b) by a person who is about to relinquish control of drugs of addiction; and

(c) forthwith on assuming control by any person who assumes control of drugs of addiction.

(2) If such inventory of drugs of addiction in stock does not agree with the balance recorded in the Register, the person required to keep the Register shall immediately notify the Commissioner in writing of the discrepancy.

46. (1) Where a person authorised to have drugs of addiction in his possession for the purpose of his profession or employment does not manufacture, retail, dispense or compound drugs of addiction, or where such dispensing or compounding is done by a medical practitioner, dentist, or veterinary surgeon for the purpose of treatment under his instructions, or his direct personal supervision, it shall be a sufficient compliance with regulation 44 of these regulations if such person keeps a record of—

(a) the drugs of addiction obtained by him and the quantities of each;

(b) the person or firm from whom he obtained such drugs of addiction;

(c) the drugs of addiction disposed of or used by him, the quantities of each, and the date of such disposal or use;

(d) the manner in which such drugs of addiction were disposed of or used; and

(e) the drugs of addiction remaining in his possession and the quantities of each.

(2) The records required to be kept pursuant to this regulation shall be in a book, either written in ink, or gummed or pasted on the pages when the invoices or other documents are used for the purpose, and shall together with the drugs of addiction then in the possession of the authorised person, be produced for inspection on demand by a person appointed or authorised by or under the Act to inspect those records.

Records to be Retained for Two Years and Available on Demand.

47. (1) All records, registers, prescription books, invoices and other documents relating to drugs of addiction and transactions in regard thereto shall be kept by the person licensed or authorised to have drugs of addiction in his possession for not less than two years from the latest date on which such record, register, prescription book, invoice or other document was made or acted upon.

(2) The records, registers, prescription books, invoices or other documents and stocks of drugs of addiction on hand shall be made available for inspection on demand by a person authorised by or under the Act or regulations or by a member of the Police Force.

(3) In the event of a register being lost or destroyed the person to whom such register belongs shall upon becoming aware of the loss or destruction make and forward to the Commissioner a statutory declaration concerning that loss or destruction and shall immediately take stock of all drugs of addiction in his possession and enter particulars of those stocks in a new register in accordance with the requirements of these regulations.

(4) A person authorised or licensed to procure and be in possession of a drug of addiction, on ceasing to be so authorised or licensed shall, if requested by the Commissioner, surrender any records, registers, prescription books, invoices or other documents and stocks of drugs of addiction that are in his possession to the Commissioner.

Quarterly Returns from Manufacturers and Wholesalers.

48. Every person who holds a licence to manufacture, distribute or sell drugs of addiction by wholesale shall within seven days after the end of each quarter forward to the Commissioner a return in respect of that quarter showing the following details relating to each drug of addiction manufactured, distributed, sold or held in stock, namely—

(a) the stock on hand on the first day of the quarter;

(b) the quantity manufactured or obtained during the quarter;

(c) the name and address of every person to whom supplies were delivered and details of the drugs of addiction supplied during the quarter; and

(d) the balance of stock held at the close of business on the last day of the quarter.

Drugs of Addiction for Use on Ships and Aircraft.

49. (a) Ships.—

(1) The master of a ship is authorised to procure and be in possession of any drug of addiction which is necessary to complete the equipment of the ship in order to comply with the requirements of the Navigation Act.

(2) The holder of a licence or other authorised person may supply such drug on receipt of a written order signed by the master of the ship and endorsed by the manager, or a person authorised in writing by him, of the ship's agents in Western Australia certifying that the drug of addiction is necessary to complete the equipment of the ship in order to comply with the requirements of the Navigation Act.

(b) Aircraft.—

(1) The person in charge of an aircraft is authorised to be in possession of a drug of addiction for the purpose of medical treatment on such aircraft but only in such quantity as does not exceed the quantity required by the Department of Civil Aviation to be carried on the aircraft.

(2) The holder of a licence or other authorised person may supply such drug of addiction on receipt of a written order signed by the manager, or a person authorised in writing by him, of the airline company or firm responsible for the operation of the aircraft in Western Australia.

(c) Any person who supplies a drug of addiction pursuant to this regulation shall within 24 hours of such supply report the details to the Commissioner or the officer in charge of the nearest Police Station.

Drugs of Addiction at Hospitals.

50. (a) Where a Pharmaceutical Chemist is Employed.—The pharmaceutical chemist in charge of the pharmacy department of a hospital shall be responsible for ordering, storing and issuing all drugs of addiction in such hospital and for keeping records of drugs of addiction as required by these regulations.

(b) Where a Pharmaceutical Chemist is not Employed.—The matron of a hospital or other person authorised by the Commissioner shall be responsible for ordering, issuing and storing all drugs of addiction in such hospital and for keeping records of drugs of addiction as required by these regulations.

Prescriptions

51. A prescription for the supply of a drug of addiction shall comply with the following conditions:—

(a) It shall be written in ink in the handwriting of the prescriber.

(b) It shall bear the name, address and signature of the medical practitioner or veterinary surgeon by whom it is written.

(c) It shall bear the name and full address of the patient or, in the case of a prescription for veterinary use, the name and full address of the person having the care of the animal for which it is intended.

(d) It shall bear the date on which it is written.

(e) It shall clearly indicate the quantity to be supplied, the maximum number of times it may be repeated and (where applicable) the intervals at which it may be repeated. Provided that a prescription written by a veterinary surgeon may be dispensed once only.

(f) A prescription written by a veterinary surgeon shall be for veterinary use only and shall be marked "For veterinary use only" or "For animal treatment only."

(g) If a prescription contains an unusual dose the prescriber shall indicate that such is intended, by underlining that part of the prescription and initialling the same in the margin.

(h) A prescription shall not bear the impression of a rubber stamp or other such contrivance in lieu of the written signature of the medical practitioner or veterinary surgeon by whom it has been issued;

(i) a prescription shall not be written in cipher.

Reg. 51A added by *G.G.* 12/8/70, pp. 2542-3; amended by *G.G.* 11/12/70, p. 3752; *G.G.* 12/2/71, p. 425.

51A. (1) In this regulation—

"registered patient" means a person for the time being registered by the Commissioner under subregulation (2) of this regulation as a person to whom the supply of a substance to which this regulation applies is authorized;

"substance to which this regulation applies" means any of the substances—

Amphetamine
Dexamphetamine
Methyl amphetamine
Phenmetrazine,

the salts of any of those substances and any preparation or admixture containing any proportion of any of those substances.

(2) The Commissioner—

(a) may authorize the supply of a substance to which this regulation applies to a person suffering from the medical condition of narcolepsy or a child suffering from brain damage;

(b) may at any time vary or revoke any authority previously given by him pursuant to pargaraph (a) of this subregulation; and

(c) shall cause a register to be kept of persons to whom the supply of a substance to which this regulation applies has been authorized and shall cause—

(i) a number to be allocated in the register to each person whose name appears therein; and

(ii) any variation or revocation of an authority previously given by him under this regulation to be entered in the register.

(3) A medical practitioner shall not give, administer, sell or supply any substance to which this regulation applies to a person unless that person is either a registered patient or a person who is receiving treatment as a drug addict under regulation 51B of these regulations.

(4) A medical practitioner shall not on any single occasion —

(a) give, sell or supply to a registered patient; or

(b) prescribe for a registered patient,

a quantity or amount of any substance to which this regulation applies which exceeds the quantity or amount of the substance that is required for the treatment of the condition of the registered patient for a period of three months.

(5) A person shall not knowingly sell or supply to a registered patient a quantity or amount of a substance to which this regulation applies which exceeds the quantity or amount of the substance that is required for the treatment of the condition of the registered patient for a period of three months.

(6) A person other than a medical practitioner shall not—

(a) prescribe a substance to which this regulation applies; or

(b) dispense, give, sell, supply or use any substance to which this regulation applies except in accordance with a written prescription for the substance, on which there are written, apparently in the hand writing of the medical practitioner who gave the prescription, the words, "Registered Approved Patient" or the initials "R.A.P.", followed, in either case, by the registered number allocated under subregulation (2) of this regulation to the registered patient for whom the prescription was written.

(6A) Where any substance to which this regulation applies is prescribed under regulation 51B of these regulations the provisions of paragraph (b) of subregulation (6) of this regulation shall apply in relation to that prescription.

(7) Nothing in this regulation applies to—

(a) the sale by wholesale of any substance to which this regulation applies by a licensed manufacturer or licensed wholesale seller of drugs of addiction in accordance with the provisions of these regulations other than this regulation; or

(b) the use in the manner directed of any substance to which this regulation applies by a registered patient who has been lawfully supplied with the substance in accordance with this regulation,

(c) [Deleted by *G.G.* 12/2/71, p. 425.]

(8) The provisions of this regulation are in addition to and not in derogation of any other prohibition, condition, restriction or limitation imposed by or under the Act or these regulations with respect to drugs of addiction generally or the substances to which this regulation applies.

51B. (1) In this regulation—

"drug addict" means a person, not being a person who is a registered patient under regulation 51A of these regulations, who suffers from a state of periodic or chronic intoxication produced by the repeated consumption of a drug of addiction, which state is often characterised by a desire to continue taking the drug of addiction, a tendency to increase the dose and a psychic and physical dependence on the effect of the drug of addiction.

Reg. 51B added by *G.G.* 11/12/70, p. 3752.

(2) Any medical practitioner who is treating a drug addict and considers it necessary for the purposes of such treatment that the drug addict should receive rational supplies of any drug of addiction shall forthwith notify the Commissioner of the case of that drug addict by forwarding to the Commissioner the appropriate form prescribed in the Notification of Disease (Non-Communicable) Regulations, 1958, and the Commissioner may then at his discretion give to that medical practitioner written permission to prescribe for that drug addict such maximum quantities of the drug of addiction in question as the Commissioner shall deem necessary.

(3) A medical practitioner who prescribes a drug of addiction for the treatment of a drug addict—

(a) without the written permission of the Commissioner; or

(b) in excess of the quantity permitted by the Commissioner,

commits an offence against these regulations.

(4) A medical practitioner who has been prescribing or supplying any drug of addiction for any patient, other than a registered patient under regulation 51A of these regulations, for a continuous period of two months shall not prescribe or supply any further quantity of any drug of addiction for that patient—

(a) until he has reported the case of that patient to the Commissioner; and

(b) until the Commissioner has given him written permission to prescribe and supply specified maximum quantities of any drug of addiction to that patient,

and the Commissioner may at his discretion require further periodic reports from the medical practitioner and may from time to time specify in writing the maximum quantity of any drug of addiction that the medical practitioner may prescribe or supply to that patient.

Dispensing Drugs of Addiction.

52. (1) Subject to the Act and these regulations a drug of addiction shall be dispensed or supplied only in accordance with a prescription complying with the requirements of the regulations.

(2) A medical practitioner, pharmaceutical chemist, or veterinary surgeon or an assistant under the direct personal supervision of a medical practitioner, pharmaceutical chemist, or veterinary surgeon shall be the only person who shall dispense a drug of addiction.

(3) The following conditions shall be observed by persons dispensing prescriptions referred to in this regulation:—

(a) The prescription shall not be dispensed more than the maximum number of times indicated thereon, and on each occasion upon which it is dispensed it shall be stamped or marked in ink, by writing or otherwise, to show clearly the date upon which it is dispensed, and the name and address of the pharmacy at which it is dispensed.

(b) The person who dispenses a prescription which does not clearly indicate the maximum number of times such prescription is to be dispensed, or which has reached the last occasion upon which it can be lawfully dispensed according to the maximum indicated thereon, shall write in ink, stamp, or mark in legible letters across such prescription the word "cancelled".

(c) The person who dispenses a prescription shall enter, or cause to be entered, in the book prescribed by regulation 44 of these regulations, a proper record of the transaction which record shall be made in such a way as to be easily understood.

(d) Before the drug of addiction is handed to the purchaser, the prescription, whether given in writing or otherwise, shall be copied in full into a Prescription Book. The entry shall bear an identifying letter or number, and the date upon which the drug of addiction is dispensed, and be signed or initialled by the person who actually dispensed the drug of addiction. For the purpose of these regulations any card system or other system of recording approved by the Commissioner shall be deemed to be the Prescription Book.

(e) In the case of a repeated prescription, an entry in the Prescription Book of the fact of the repeat, signed or initialled and dated as prescribed shall be sufficient compliance with this regulation.

(f) The label on the bottle or package containing the drug of addiction shall be marked with the identifying letter or number of the prescription as appearing in the Prescription Book.

(g) The Prescription Book shall be kept at the place at which the drug of addiction was dispensed and shall be produced on demand to any person authorised in that behalf under the Act or these regulations.

(4) A prescription marked "cancelled" or that is more than six months old shall not be dispensed.

(5) A prescription which is illegible or defaced or which appears to be for the purpose of enabling some unauthorised person to obtain a drug of addiction, or which does not appear to be genuine, shall not be dispensed.

(6) A pharmaceutical chemist to whom a prescription referred to in subregulation 5 of this regulation is presented shall retain the prescription and forthwith inform the Commissioner of the relevant circumstances and the reasons for his refusal to dispense the prescription.

Dispensing Drugs of Addiction in Cases of Emergency.

53. Where a medical practitioner or veterinary surgeon in a case of emergency orally or by telephone or telegram directs the dispensing of a drug of addiction, he shall forthwith write a prescription complying with the conditions prescribed in regulation 51 of these regulations, mark such prescription so as to show clearly that it is in confirmation of the directions given by him orally or by telephone or telegram, and despatch such prescription within 24 hours to the person by whom the drug of addiction was dispensed.

Delivery of Drugs of Addiction on Order.

54. (1) A drug of addiction shall not be delivered to any person except on the authority of a written order signed by the person licensed or otherwise authorised to procure or be in possession of the drug of addiction.

(2) A drug of addiction shall not be delivered to any person not licensed, or otherwise authorised to be in possession of the drug of addiction, who purports to be sent by or on behalf of a person so licensed or authorised, unless the firstmentioned person produced an authority in writing signed by the person so licensed or authorised to receive the drug of addiction on his behalf, and unless the person supplying the drug of addiction is satisfied that the authority is genuine.

(3) This regulation does not apply to medicines dispensed in pursuance of the foregoing regulations.

Common Carrier Protected.

55. A common carrier or his employee is hereby authorised to be in possession of any drug of addiction so far only as the possession is necessary for the transport of the drug of addiction in the ordinary course of business.

Safe Custody of Drugs of Addiction.

56. (1) Subject to regulation 56A any person licensed or authorised to have a drug of addiction in his possession shall store such drug of addiction in a poisons cupboard, securely locked.

Reg. 56 amended by G.G. 7/9/71, p. 3278.

(2) This regulation does not apply to—

(a) a person who has been supplied with the drug of addiction pursuant to a prescription from a medical practitioner or veterinary surgeon; or

(b) a medical practitioner or veterinary surgeon when transporting the drug of addiction for the purpose of his profession or practice, if such medical practitioner or veterinary surgeon takes reasonable precautions to protect such drug of addiction against theft or loss.

Reg. 56A added by *G.G.* 7/9/71, p. 3278

56A. (1) Where a pharmacist is in possession of Eighth Schedule poisons for the purposes of his profession or employment, he shall store those poisons in the type of safe prescribed by this regulation or in similar storage accomodation approved by the Commissioner for this purpose.

(2) The safe required by subregulation (1) of this regulation shall be in a portion of the premises not accessible to the public and shall be—

(a) constructed of black mild steel plate not less than three eighths of an inch thick;

(b) constructed with continuous welding of all edges; and fitted with a solid mild steel bar of not less than 5/16th of an inch at its smallest diameter, situated not more than four inches above or below the lock, fixed to both sides of the safe by drilling and backwelding;

(c) fitted with a door constructed of black mild steel plate not less than three eighths of an inch thick, the door being flush fitting with a clearance around the door of not more than one sixteenth of an inch;

(d) fitted with two or more fixed locking bars welded to the inside face of the door near the hinge edge at not greater distances than twelve inches apart from centre of locking bar to centre of locking bar; one fixed locking bar to be not further than 6 inches from the top of the safe door, and one fixed locking bar to be not further than 6 inches from the bottom of the safe door; each locking bar engaging in a rebate in the cupboard body when the door is closed.

(e) fitted with a five lever keylock, or locking mechanism providing at least equivalent security, securely affixed to the rear face of the door; when the height of the safe door exceeds 24 inches but does not exceed 36 inches a second five lever keylock or locking mechanism providing at least equivalent security shall be securely affixed to the rear face of the door, and this lock shall be keyed alike to the first lock.

(f) securely attached to the wall or floor in the following manner—

(i) Where the wall and the floor are constructed of brick or concrete the safe shall be attached to the wall or the floor by means of suitably sized expanding bolts through holes three eighths of an inch in diameter drilled in the rear or floor of the safe.

(ii) Where the wall only is constructed of brick or concrete the safe shall be attached to the wall by means of suitably sized expanding bolts through holes three eighths of an inch in diameter drilled in the rear of the safe.

(iii) Where the floor is constructed of brick or concrete, but the wall is of timber construction, the safe shall be attached to the floor by means of suitably sized expanding bolts through holes three eighths of an inch in diameter drilled in the bottom of the safe.

(iv) Where neither a floor nor a wall constructed of brick or concrete is available, the safe shall be attached to the wall or floor by a method that will ensure that the safe cannot be easily removed.

(3) Notwithstanding subregulation (2) of this regulation a safe built or placed under the floor, shall be deemed to have met the security specifications of that subregulation if it meets the following requirements—

(a) the container and neck of the safe shall be constructed of black mild steel plate;

(b) the container and neck of the safe shall be embedded in reinforced concrete; and

(c) the safe shall have a substantial closure fitted with a five lever keylock or other locking mechanism providing at least equal security, or alternatively a keyless combination lock.

(4) A pharmacist shall not store other goods, cash or documents in a safe used for storing Eighth Schedule poisons and shall keep in his immediate and personal possession the key to any such safe and the safe shall be locked at all times except when Eighth Schedule poisons are being placed into or removed from it.

56B. All Eighth Schedule poisons— Reg. 56B added by *G.G.* 7/9/71, p. 3279

(a) stored in the pharmacy department of a hospital which employs a pharmacist, shall be stored in a locked safe kept solely for that purpose or in similar storage accommodation approved by the Commissioner and the key shall be kept in the possession of the pharmacist-in-charge and not left on the premises where the Eighth Schedule poisons are stored except when it is given into the possession of another pharmacist, medical practitioner or dentist;

(b) in a hospital which does not employ a pharmacist, shall be stored in the hospital in locked storage accommodation approved by the Commissioner prior to the distribution of supplies to wards, and ward supplies shall be stored in locked cupboards in wards or in locked portions of cupboards kept solely for the storage of Eighth Schedule poisons;

(c) kept by persons licensed to procure, manufacture or supply drugs of addiction by wholesale dealing, shall be stored in a locked storage accommodation approved by the Commissioner and the key shall be in the possession of the person so licensed or in the possession of some other person authorised by the Commissioner.

Labelling.

57. (1) A person shall not supply any drug of addiction unless the package or bottle containing the drug of addiction is plainly labelled or marked to show the quantity of such drug of addiction contained therein.

(2) A person shall not supply any preparation or admixture containing any drug of addiction, unless the package or bottle containing that preparation or admixture is plainly labelled or marked to show the total quantity of such preparation or admixture in the package or bottle and the percentage or quantity of the drug of addiction contained therein, or in the case of tablets or other articles, the number of such tablets or articles in the package or bottle, and the percentage or quantity of the drug of addiction contained in each tablet or article.

(3) This regulation does not apply to any drug of addiction, preparation, or admixture dispensed in accordance with these regulations.

Improper Prescribing or Use of Drugs of Addiction.

58. (1) A medical practitioner or veterinary surgeon shall not knowingly give a prescription for a drug of addiction merely for purposes of addiction.

(2) A medical practitioner or dentist shall not knowingly supply or administer a drug of addiction merely for purposes of addiction.

Names of Persons from whom Licence or Authority Withdrawn to be Published.

59. The names of all persons from whom a licence or authorisation has been withdrawn shall be published in the *Government Gazette*.

Appeals.

60. (1) Any person desirous of appealing under the provisions of section 29 of the Act shall lodge with the Clerk of Petty Sessions of the Court of Petty Sessions held nearest to the place of business of the appellant notice of appeal in the Form No. 12 in Appendix A to these regulations.

(2) A copy of the notice shall be served on the Commissioner within seven days after lodging the notice with the Clerk of Petty Sessions.

(3) On proof by affidavit to the satisfaction of the magistrate that the notice has been duly served, the magistrate shall cause to be sent to the parties written notice of a date and time for the hearing of the appeal, which date shall not be less than fourteen clear days from the service of the notice.

61. If either party to the appeal neglects to appear personally or by counsel or solicitor on the date and at the time fixed for hearing, the magistrate may—

(a) where the appellant fails to appear, dismiss the appeal;

(b) where the Commissioner fails to appear, hear the appeal or adjourn it to some other date.

62. On the hearing and determination of the appeal the magistrate may make such order as to costs to be paid by either party to the appeal as he may think just.

63. On the hearing of the appeal, it shall proceed according to the procedure and rules of evidence applicable in the Court of Petty Sessions.

APPENDIX A

Appendix A amended by *G.G.* 14/6/67, pp. 1582-3; *G.G.* 22/9/69, p. 2876.

Form No. 1. Poisons Act, 1964.

LICENCE TO PROCURE, MANUFACTURE AND SUPPLY POISONS (OTHER THAN DRUGS OF ADDICTION) BY WHOLESALE DEALING.

This licence is granted to ..... and authorises him to procure, manufacture and supply by wholesale dealing on behalf of ..... the poisons specified in the *1st, 2nd, 3rd, 4th, 6th, 7th Schedules to the Poisons Act.

Subject to the following conditions:—

1. The poisons will be manufactured at premises situated at .....
.....

(a) under the personal supervision of .....
who holds the qualification .....(or)

(b) under the direction of ..... who holds the qualification ..... and under the personal supervision of .....
who is an experienced person within the meaning of the regulations (or)

(c) .....
.....

2. The poisons will be supplied from premises situated at.....
.....

(a) under the personal supervision of.....
who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification.....and under the personal supervision of .....who is an experienced person within the meaning of the regulations (or)

(c) .....
.....

3. (a) .....

(b) .....

Dated at Perth.....19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

* Strike out whichever is not applicable.

Form No. 1A.

Poisons Act, 1964.

APPLICATION FOR LICENCE TO PROCURE, MANUFACTURE AND SUPPLY POISONS (OTHER THAN DRUGS OF ADDICTION) BY WHOLESALE DEALING.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs / Miss ..... (Full Name)

hereby apply for a licence to procure, manufacture and supply by wholesale dealing on behalf of.....the poisons specified in the *1st, 2nd, 3rd, 4th, 6th, 7th Schedules to the Poisons Act.

In support of this application I declare that—

1. The poisons will be manufactured at premises situated at.....
.....

(a) under the personal supervision of.....who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification.....and under the personal supervision of .....who is an experienced person within the meaning of the regulations (or)

(c) .....
.....

2. The poisons will be supplied from premises situated at.....
.....

(a) under the personal supervision of.....
who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification.....and under the personal supervision of .....who is an experienced person within the meaning of the regulations (or)

(c) .....
.....

Date.....

Signature of Applicant.
.....

Form No. 2.

Poisons Act, 1964.

LICENCE TO PROCURE, MANUFACTURE AND SUPPLY BY WHOLESALE DEALING DRUGS OF ADDICTION.

This licence is granted to.....and authorises him to procure, manufacture and supply by wholesale dealing on behalf of .....the following drugs of addiction.....
.....

Subject to the following conditions:—

1. The drugs of addiction will be manufactured at premises situated at .....

(a) under the personal supervision of.....
who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification..... and under the personal supervision of..... who is an experienced person within the meaning of the regulations.

---

* Strike out whichever is not applicable.

2. The drugs of addiction will be supplied from premises situated at.....
.....

(a) under the personal supervision of.....
who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification.....and under the personal supervision of.....who is an experienced person within the meaning of the regulations.

3. (a).....
(b).....

Dated at Perth.....19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

Form No. 2A.

Poisons Act, 1964.

APPLICATION FOR LICENCE TO PROCURE, MANUFACTURE AND SUPPLY BY WHOLESALE DEALING DRUGS OF ADDICTION.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street, Perth.

I, Mr. / Mrs. / Miss .....hereby apply for
(Full Name)

a licence to procure, manufacture and supply by wholesale dealing the following drugs of addiction .....
.....

In support of this application I declare that:—

1. The drugs of addiction will be manufactured at premises situated at.....
.....

(a) under the personal supervision of.....
who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification.....and under the personal supervision of.....who is an experienced person within the meaning of the regulations.

2. The drugs of addiction will be supplied from premises situated at.....
.....

(a) under the personal supervision of.....
who holds the qualification.....(or)

(b) under the direction of.....who holds the qualification.....and under the personal supervision of.....who is an experienced person within the meaning of the regulations.

Date..... .....
Signature of Applicant.

Form No. 3.

Poisons Act, 1964.

PHARMACEUTICAL CHEMIST'S LICENCE TO SELL POISONS.

This licence is granted to.....
and authorises him to sell poisons at premises situated at.....
.....

Dated at Perth.....19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

Form No. 3A.

Poisons Act, 1964.

APPLICATION FOR PHARMACEUTICAL LICENCE TO SELL POISONS.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs. / Miss ..... (Full Name)

a pharmaceutical chemist registered to practice in Western Australia, hereby apply for a licence to sell poisons at premises situated at.....
.....which premises are registered as a Pharmacy under the Pharmacy Act, 1964, the Registration Certificate in respect of which is No.....valid until 30th June, 19.....

.....
Signature of Applicant.

Date.....

Form No. 4.

Poisons Act, 1964.

LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 6TH SCHEDULE.

This licence is granted to.....
and authorises him to procure, and to sell by retail, on behalf of.....
.....the poisons specified in the 6th Schedule to the Poisons Act, 1964, at premises situated at.....
.....

Dated at Perth.....19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

Form No. 4A.

Poisons Act, 1964.

APPLICATION FOR LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 6TH SCHEDULE.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs. / Miss ..... (Full Name)

hereby apply for a licence to sell, by retail, on behalf of.....
..... the poisons specified in the 6th Schedule to the Poisons Act, 1964.

I declare that—

(a) I have attained the age of 21 years.
(b) The poisons will be sold only at premises situated at .....
.....
(c) The poisons will not be sold by an assistant under 18 years of age.
(d) The poisons will not be sold to anyone who is apparently under 16 years of age.

Date .....

.....
Signature of Applicant.

Form No. 5.

Poisons Act, 1964.

LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 1ST, 2ND OR 6TH SCHEDULES.

This licence is granted to .....
and authorises him to procure, and to sell by retail, on behalf of .....
..... the poisons specified in the 1st, 2nd or 6th Schedules to the Poisons Act, 1964, at premises situated at .....
.....

Dated at Perth.....19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

Form No. 5A.

Poisons Act, 1964.

APPLICATION FOR LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 1ST, 2ND OR 6TH SCHEDULES.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs. / Miss ..... (Full Name)

hereby apply for a licence to sell, by retail, on behalf of .....
..... the poisons specified in the 1st, 2nd or 6th Schedules to the Poisons Act, 1964, at premises situated at.....
.....

I declare that—

(a) I have attained the age of 21 years.

(b) These premises are distant at least five miles from the nearest place at which a pharmaceutical chemist conducts a pharmacy.

(c) The poisons will not be sold by an assistant under 18 years of age.

(d) The poisons will not be sold to anyone who is apparently under 16 years of age.

Date .....

.....
Signature of Applicant.

Form No. 6.

Poisons Act, 1964.

LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 7TH SCHEDULE.

This licence is granted to .....
and authorises him to procure, and to sell by retail, on behalf of .....
....., at premises situated at ..... the following poisons specified in the 7th Schedule:—

.....
.....

Subject to the following conditions:—

.....
.....

Dated at Perth.....19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

Form No. 6A.

Poisons Act, 1964.

APPLICATION FOR LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 7TH SCHEDULE.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs. / Miss ..... (Full Name)

hereby apply for a licence to sell, by retail, on behalf of .....
..... poisons specified in the 7th Schedule:—

.....
.....
.....

I declare that—

(a) I have attained the age of 21 years.

(b) The poisons will be sold only at premises situated at .....
.....

(c) The poisons will be sold only by myself or by an assistant who is not less than 18 years of age.

(d) The poisons will not be sold to anyone who is apparently under 16 years of age.

(e) .....

Date..... .....
Signature of Applicant.

Form No. 6B.

Poisons Act, 1964.

POISONS PERMIT (DISTRIBUTION OF SAMPLES).

This permit is granted to ..... of ....., representative of ....., licensed manufacturers of, or wholesale dealers in, drugs containing poisons specified in the First, Second, Third or Fourth Schedules to the Poisons Act, 1964; and authorises him/her to procure samples of the aforesaid drugs from.....
.....
(Name of manufacturers or wholesalers)

and supply them to persons authorised by regulation 8A of the Poisons Act Regulations, 1965 (as amended) to receive them.

Dated at Perth ....., 19.....

Valid until 30th June, 19..... .....
Commissioner of Public Health.

Form No. 6C.

Poisons Act, 1964.

APPLICATION FOR POISONS PERMIT (DISTRIBUTION OF SAMPLES).

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, ... of ..... being a representative of ....., licensed manufacturer of, or wholesale dealer in, drugs containing poisons specified in the First, Second, Third or Fourth Schedules to the Poisons Act, 1964, hereby apply for a permit to procure from .....
.....
(Name of manufacturers or wholesalers

and to supply to persons authorised to receive them, samples containing drugs specified in the First, Second, Third or Fourth Schedules to the Poisons Act, 1964.

Dated at Perth ....., 19.....

Valid until 30th June, 19..... .....
Commissioner of Public Health.

Form No. 7.

Poisons Act, 1964.

POISONS PERMIT (INDUSTRIAL).

This permit is granted to.....and authorises him to purchase on behalf of..... from a manufacturer or wholesale dealer—

(a) the poisons specified in the..... Schedules to the Poisons Act, 1964;

(b) the following poisons:—

.....

.....

.....

This permit is issued subject to the following conditions:—

(1) the poisons will be stored only at premises situated at..... .....;

(2) the poisons will not be resold;

(3) the poisons will be used only for the following purposes:—

.....

.....

.....

(4) .....

.....

.....

Date at Perth....., 19.....

Valid until 30th June, 19.....

.....

Commissioner of Public Health.

Form No. 7A.

Poisons Act, 1964.

APPLICATION FOR POISONS PERMIT (INDUSTRIAL).

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs. / Miss.....
(Full Name)

hereby apply on behalf of.....for a permit to purchase from a manufacturer or wholesale dealer—

(a) the poisons specified in the *1st, 2nd, 3rd, 4th, 6th, 7th, 8th Schedules to the Poisons Act, 1964; or

(b) the following poisons:—

.....

.....

.....

In support of this application I declare that—

(1) the poisons will be stored only at premises situated at..... .....

(2) the poisons will not be resold;

(3) the poisons will be used only for the following purposes:—

.....

.....

.....

(4) .....

.....

.....

Date.....

.....

Signature of Applicant.

---

* Strike out whichever does not apply.

Form No. 8.

Poisons Act, 1964.

POISONS PERMIT (EDUCATIONAL, ADVISORY OR RESEARCH).

This permit is granted to..... .....and authorises him to purchase on behalf of..... .... from a manufacturer or wholesale dealer—

(a) the poisons specified in the..... Schedules to the Poisons Act, 1964.

(b) the following poisons:—

.....
.....
.....

This permit is issued subject to the following conditions:—

(1) the poisons will be stored only at premises situated at.....
.....

(2) the poisons will not be resold;

(3) the poisons will be used only for the following purposes:—

.....
.....
.....

(4) .....
.....
.....

Dated at Perth....., 19.....

Valid until 30th June, 19..... .....
Commissioner of Public Health.

Form No. 8A.

Poisons Act, 1964.

APPLICATION FOR POISONS PERMIT.
(EDUCATIONAL, ADVISORY OR RESEARCH.)

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs. / Miss ..... (Full Name)

hereby apply on behalf of.....for a permit to purchase from a manufacturer or wholesale dealer—

(a) the poisons specified in the *1st, 2nd, 3rd, 4th, 6th, 7th, 8th Schedules to the Poisons Act, 1964; or

(b) the following poisons:—

.....
.....
.....

In support of this application I declare that—

(1) the poisons will be stored only at premises situated at.....
.....

(2) the poisons will not be resold;

(3) the poisons will be used only for the following purposes:—

.....
.....
.....

(4) .....
.....
.....

Date..... .....
Signature of Applicant.

* Strike out whichever does not apply.

(3)—95997

Form No. 9.

Poisons Act, 1964.

LICENCE TO HAWK, PEDDLE OR DISTRIBUTE POISONS.

This licence is granted to ..... and authorises him to sell by hawking or peddling, or to distribute as a sample, the following poisons:—

.....

.....

.....

This licence is issued under section 48 of the Poisons Act, 1964, and is subject to the following conditions, limitations and restrictions:—

.....

.....

.....

Dated at Perth.....19.....

Valid until.....19.....

.....
Commissioner of Public Health.

Form No. 9A.

Poisons Act, 1964.

APPLICATION FOR LICENCE TO HAWK, PEDDLE OR DISTRIBUTE POISONS.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr. / Mrs / Miss ..... (Full Name)

of ..... (address) hereby apply for a licence to hawk, peddle, or distribute as a sample, the following poisons:—

.....

.....

.....

In support of this application I declare that—

(a) I have attained the age of 21 years;

(b) the poisons will not be sold by an assistant under 18 years of age;

(c) the poisons will not be sold to anyone who is apparently under 16 years of age;

(d) the poisons will be sold or distributed only in the areas specified in the licence;

(e) .....

.....

Date.....19.....

.....
Signature of Applicant.

Form No. 10.

Poisons Act, 1964.

APPLICATION FOR CLASSIFICATION OF A NEW DRUG.

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I (or we) ..... of ....., herewith make application for classification of the new drug .....

I (or we) request that this drug be—

(a) included in Schedule.....;

(b) exempted from inclusion in any Schedule;

(c) preparations containing not more than ..... per cent. of the drug be .....

In support of this application I (we) submit the following information:—

1. The (a) approved name of the drug .....
   (b) generic name of the drug .....
2. The trade name (or names) .....
3. The proprietary name (or names) .....
4. The chemical name .....
5. The chemical nature .....
6. The chemical structure and formula .....
7. Its description in precise chemical terms, together with its physical details .....
8. The nature and limits of any impurities present .....
9. Particulars of the tests and standards applied to control its potency, purity and safety during manufacture and storage .....
10. Full details of investigations made with respect to the safety and efficacy of the drug, including tests carried out by universities and/or research institutions, and clinical trials.

    Note.—Full reports are required of adequate tests which will show whether or not the substance will be safe. The reports shall include detailed data derived from appropriate animal and other biological experiments in which the methods used and the results obtained are clearly set forth. Details of any reports which could bias an evaluation of the safety of the substance shall NOT be omitted. Special attention shall be given to—

    (a) acute, sub-acute and chronic toxicity;
    (b) uniformity of response within a species and among different species;
    (c) occurrence of unusual or alarming reactions, such as carcinogenesis;
    (d) known side effects;
    (e) occurrence of sensitivity tolerance or idiosyncracy in response to the substance;
    (f) Metabolism, rate, extent and mode of elimination of the substance;
    (g) any tendency towards accumulation in the body;
    (h) any special incompatability;
    (i) method of assay.

11. A statement of the amounts of all ingredients, route of administration, proposed dosage, the claims to be made for such drug and a description of the pharmaceutical forms in which it is proposed to be sold.
13. Full details of proposed labelling and packaging.
14. Evidence of approval or rejection by any other statutory body or authority.
15. Complete bibliography of any publications relating to pharmacological and therapeutic actions, including clinical trials.

Form No. 11.

Poisons Act, 1964.

PERMIT TO SUPPLY FOR VETERINARY USE THE PREPARATIONS REFERRED TO IN REGULATION 39 (2).

This permit is granted to ..... and authorises him to sell on behalf of ..... at premises situated at ..... the preparations referred to in regulation 39 (2).

Dated at Perth ..... 19.....

Valid until 30th June, 19.....

.....
Commissioner of Public Health.

Form No. 11A.

Poisons Act, 1964.

APPLICATION FOR PERMIT TO SUPPLY FOR VETERINARY USE THE PREPARATIONS REFERRED TO IN REGULATION 39 (2).

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr.
Mrs. .....
Miss (Full Name)

hereby apply for a permit to sell on behalf of ..... at premises situated at ..... the preparations referred to in regulation 39 (2) of the Poisons Act Regulations, 1965.

Date ..... 19.....

.....
Signature of Applicant.

Form No. 12.

Poisons Act, 1964.

NOTICE OF APPEAL UNDER SECTION

IN the Court of Petty Sessions
at .....

BETWEEN

..... Appellant

and

..... Respondent

TAKE NOTICE that pursuant to the provisions of Section of the Poisons Act, 1964, I intend to appeal to the Magistrate of the abovenamed Court against your (a) ..... on the ..... day of ..... 19..... (b) .....
.....
.....

Dated this ..... day of ..... 19.....

.....
Appellant.

To the Commissioner of Public Health
And to .....

(a) State whether refusal, cancellation, order, etc., of the Commissioner.
(b) Set out particulars of the decision of the Commissioner.

Form No. 13.

Poisons Act, 1964.

POISONS PERMIT (DEPARTMENTAL AND HOSPITAL).

THIS permit is granted to ..... and authorises him to purchase on behalf of .....from a manufacturer or wholesale dealer—

(a) the poisons specified in the .....Schedules to the Poisons Act, 1964.

(b) the following poisons:—

.....

.....

.....

This permit is issued subject to the following conditions:—

(1) the poisons will be stored only at premises situated at .....

.....

(2) the poisons will not be resold unless the poisons referred to above have been purchased on behalf of a public hospital;

(3) the poisons will be used only for the following purposes:—

.....

.....

.....

(4) .....

.....

.....

Dated at Perth ....., 19.....

Valid until 30th June, 19..... .....

Commissioner of Public Health.

Form No. 13A.

Poisons Act, 1964.

APPPLICATION FOR POISONS PERMIT (DEPARTMENTAL AND HOSPITAL).

To the Commissioner of Public Health,
Public Health Department,
57 Murray Street,
Perth.

I, Mr / Mrs / Miss ..... (Full Name.)

hereby apply on behalf of ..... for a permit to purchase from a manufacturer or wholesale dealer—

(a) the poisons specified in the *1st, 2nd, 3rd, 4th, 6th, 7th, 8th Schedules to the Poisons Act, 1964; or

(b) the following poisons:—

.....

.....

.....

In support of this application I declare that—

(1) the poisons will be stored only at premises situated at .....

.....

(2) ‡ the poisons will not be resold;

(3) The poisons will be used only for the following purposes:—

.....

.....

.....

(4) .....

.....

.....

Date..... .....

Signature of Applicant.

---

* Strike out whichever does not apply.

‡ Strike out if permit is sought on behalf of a public hospital.

APPENDIX B.

DRUG REGISTER OF DRUGS OF ADDICTION USED AND RECEIVED.

Date on which Transaction was Effected	Person, Body or Firm to Whom Sold or Supplied, or from Whom Received		Amount Used Sold or Supplied	Balance	Prescription Number	Prescriber	Dispenser
	Name and Address	Amount Received					

APPENDIX C.

Appendix C amended by G.G. 19/2/71, p. 519.

POISONS AND HAZARDOUS SUBSTANCES REQUIRED TO BE LABELLED WITH FIRST AID MEASURES.

Except where otherwise stated, a poison or hazardous substance in this Appendix includes any derivative, compound, preparation or admixture included in relation to that item in the Schedule referred to.

First Schedule.—

Aconite, Antimony, Arsenic, Atropine, Belladonna, Brucine, Colchicine, Hydrocyanic acid, Hyoscine, Mercuric chloride, Mercuric iodide, Mercuric nitrate, Mercuric-potassium iodide, Phosphorus (yellow), Strychnine.

Second Schedule.—

Acid Acetic glacial, Chloroform, Creosote, Cresol, Diamines, Iodine, Lead salts, Nitric acid, Nitrophenols (ortho, meta and para), Oxalic acid, Phenol (Carbolic acid), Selenium, Sulphuric acid.

Third Schedule.—

Santonin, Sodium nitrite.

Fifth Schedule.—

Kerosene, Metaldehyde, 4:7 Methanoindene, Nitrobenzene, Sodium Hydroxide.

Sixth Schedule.—

Acetonyl benzyl-4-hydroxycoumarin (Warfarin), Acid Acetic Glacial, Ammonia, Aniline, Arsenic, Barium salts, Benzene, Carbon bisulphide, Carbon tetrachloride, Chloroallyldiethylthiocarbamate (CDEC), 2-Chloro-N-N-diallylacetamide (C.D.A.A.), Chlordane, Copper salts, Dicophane (D.D.T.), Dieldrin, Dimethanonaphthalene, Dinocap (Karathane), Dinitrocresols, Dinitrophenols, Disulfiram, gamma Benzene hexachloride, Hydrochloric acid, Mercury (organic compounds), Mercuric chloride, Metaldehyde, 4:7 Methanoindene, Nicotine, Nitrobenzene, Organophosphorus Compounds, Pentachlorophenol, Phenol (Carbolic acid), Phosphides (metallic), Phosphorus (yellow), Potassium bromate, Potassium hydroxide, Sodium bromate, Sodium hydroxide, Strychnine, Sulphuric acid in substances containing more than 10 per cent. by weight of sulphuric acid (except in accumulators, batteries or fire extinguishers), Tetramethylthiuram-disulphide (Thiram), Thallium, Toxaphene, Zinc chloride, Zinc dimethyldithiocarbamate (Ziram), Zinc ethylene-bis-(Dithiocarbamate) (Zineb).

Seventh Schedule.—

Carbon tetrachloride, Chlorine, Chloropicrin, Cyanide, Dinitrocresols, Dinitrophenols, Fluoroacetic acid, Hydrocyanic acid, Methyl bromide, Organophosphorus compounds, Tetrachloroethane, Thallium.

Appendix D.

Appendix D substituted G.G. 19/2/71, p. 519-21.

POISONS AND HAZARDOUS SUBSTANCES REQUIRED TO BE LABELLED WITH A WARNING STATEMENT.

(a) "Avoid contact with the skin".

Formaldehyde
Hydrochloric acid.
Hydrofluoric acid, hydrosilicofluoric acids, their salts and other fluorine compounds
Nitric acid
Oxalic acid and metallic oxalates
Oxythioquinox
Phenol and any homologue of phenol boiling below 220°C.
Sodium chlorate
Sulphuric acid
Zinc chloride
Liquid epoxy resins and all amines and organic anhydrides used as curing agents for epoxy resins

(b) "Avoid contact with the skin and avoid breathing its dust (or vapour)".

Acrolein
Aniline
Arsenic, organic compounds when prepared for use as herbicides and defoliants
Benzene
Benzene hexochloride
Beryllium
Carbon bisulphide
Chlordecone
Chloropicrin
Chlorphenamidine
Chromates and dichromates of alkali metals and ammonium
Chromic acid
Dichloroethyl ether
Dichloroethylene
Dicophane
Diethylene dioxide
Dimethanonaphthalene and all substitution and/or addition products thereof
Dimethyl sulphoxide
Dinitrocresols and their homologues except for therapeutic use
Dinitrophenols and their homologues except for therapeutic use
DSMA
Ether solvent
Ethyl bromide
Ethylene dibromide
Ethylene oxide
Liquid epoxy resins and all amines and organic anhydrides used as curing agents for epoxy resins
4, 7-Methanoidene and all substitution and/or addition products thereof
Methyl alcohol except in methylated spirit
Methyl bromide
Methyl chloride
Methylene chloride
Nicotine and its salts except in tobacco
Nitrobenzene
Organo-phosphorus compounds, organic fluorophosphates, organic pyrophosphates, organic thiophosphates and any other organo-phosphorus compound when prepared for use as a pesticide except dichlorvos when included in Schedule 5
7-Oxabicyclo-(2,2,1)-hepane-2, 3-dicarboxylic acid
Pentachlorophenol
Phosphides, metallic
Propachlor
Selenium, in preparations other than for human therapeutic use
Tetrachloroethylene except for therapeutic use
Toluene
Toxaphene
Trichloroethylene except when specially prepared for medical purposes
Trichlorophenol
Xylene

(c) "Warning—this substance is caustic—avoid contact with the skin".

Potassium hydroxide
Sodium hydroxide

(d) "Warning—this substance is flammable".

Acrolein
Benzene
Carbon bisulphide
Dichloroethylene
Diethylene dioxode
Ether solvent
Ethylene oxide
Hydrocarbons, liquid, distilling under 300°C when tested according to method D86-61 of the American Society for Testing Materials
Kerosine
Methyl alcohol
Methylated spirit
Mineral turpentine
Oil of turpentine
Petrol
Toluene
White spirit
Xylene

(e) "Avoid contact with food".

Arsenic, organic compounds, when prepared for use as herbicides or defoliants
DSMA
Insecticidal preparations
7-Oxabicyclo-(2,2,1)-heptane-2, 3-dicarboxylic acid

(f) "Wear protective gloves when mixing or using".

Liquid epoxy resins and all amines and organic anhydrides used as curing agents for epoxy resins

(g) "Do not use with other asthma sprays or remedies and avoid frequent and prolonged use except on medical advice".

Asthma sprays containing adrenaline, natural or synthetic, its salts, nor adrenaline and substances structurally derived therefrom by substitution in the amine group, their salts

(h) "Should not be taken for periods longer than four weeks except on medical advice".

8-Hydroxyquinoline, its derivatives and their salts when prepared for internal use

(i) "Warning—this product contains ingredients which may cause skin irritation of certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eye-brows; to do so may cause blindness".

Amines, aromatic, including phenylene diamine, toluene diamine and other aromatic amines when used in hair dyes

(j) "Warning—milk from animals treated with this preparation is unfit for human consumption and must be discarded for (to be stated) hours following the cessation of treatment to ensure that the milk is free from residues".

Antibiotic preparations for intra-mammary treatment of animals

(k) "Warning—should not be used for human beings. For veterinary use only".

Chloramphenicol when prepared for veterinary purposes for the topical treatment of foot rot and for ocular use

Sulphanilamide, its salts, its derivatives, their salts, when prepared for veterinary purposes, except animal foodstuffs containing 200 ppm or less of sulphaquinoxaline. Testosterone propionate and testostrone dipropionate when prepared for veterinary purposes.

Tetracycline, its salts, its derivatives, their salts when prepared for veterinary purposes for topical application for ocular use only.

Appendix E amended by G.G. 10/2/66, p.410.

APPENDIX E.

LABELS FOR POISONS IN THE SEVENTH SCHEDULE.

Except where otherwise stated a substance in this Appendix includes any derivative, compound, preparation or admixture included in relation to that substance in the Seventh Schedule to the Act.

The label for any poison in the Seventh Schedule shall contain the following particulars:—

(a) Poison;

(b) Keep out of reach of children;

(c) Do not open until you have read safety directions;

(d) Approved name of the poison;

(e) The proportion or percentage of poison in the contents;

(f) Name and address of manufacturer, wholesaler or retailer;

(g) The following information appropriate to the particular item:—

CHLORINE.

Irritant to the skin, extremely dangerous if inhaled.

Precautions: Avoid inhalation or contact with the skin. A suitable respirator should be available and used when required.

FIRST AID MEASURES.

Put on suitable respirator, then remove patient from further exposure. If patient not breathing commence artificial respiration.
Call a Doctor.

CHLOROPICRIN.

Extremely dangerous if inhaled, even in small doses (was used as a war gas). Very irritant to the skin.

Precautions. Avoid breathing fumes or contact with skin, eyes or clothing. A suitable respirator should be available and used as required.

FIRST AID MEASURES.—

Put on suitable respirator, then remove patient from further exposure.

If splashing occurs: Remove contaminated clothing.

If splashing occurs on the skin: Wash off skin immediately.

If splashing occurs in the eyes: Flush eyes with water for 5 minutes.

Call a doctor.

DINITROCRESOLS, DINITROPHENOLS.

Extremely dangerous and may be fatal if swallowed, inhaled or absorbed through the skin.

Precautions. Wear complete cover waterproof clothing including suitable respirator. Wash hands and face thoroughly before eating or smoking. Wash clothing and gloves daily.

FIRST AID MEASURES.—

If splashing occurs: Remove contaminated clothing.

If splashing occurs on the skin: Wash off skin immediately.

If splashing occurs in the eyes: Flush eyes with water for 5 minutes.

If swallowed—only when patient conscious: Give milk drink (or water if no milk). Give a cup of water with 2 teaspoonfuls of salt (if available). To assist in inducing vomiting tickle back of throat with finger. Give a tablespoonful of Epsom or Glauber Salts.

Call a doctor.

FLUOROACETIC ACID.

Extremely poisonous if taken internally or inhaled.

Precautions. Avoid inhaling. Wash thoroughly before eating or smoking.

FIRST AID MEASURES.—

If swallowed—only when patient conscious: Give milk drink (or water if no milk. Give a cup of water with 2 teaspoonfuls of salt (if available). To assist in inducing vomiting tickle back of throat with finger. Give a tablespoonful of Epsom or Glauber Salts.

Call a doctor.

HYDROCYANIC ACID AND ALL CYANIDES.

Extremely poisonous when taken by mouth, inhaled or absorbed through the skin.

For solid and liquid preparations the label should also include:—

This preparation liberates poisonous gas on contact with water or acids.

Precautions. Store in a cool place. Avoid contact with skin. Wash hands before eating or smoking. When exposed to gas a suitable respirator must be worn.

FIRST AID MEASURES.—

If inhaled: Put on suitable respirator, then remove patient from further exposure.

If splashing occurs: Remove contaminated clothing.

If splashing occurs on the skin: Wash off skin immediately.

If swallowed—only when patient conscious: Give milk drink (or water if no milk). Give a cup of water with 2 teaspoonfuls of salt (if available). To assist in inducing vomiting tickle back of throat with finger. Give a tablespoonful of Epsom or Glauber Salts.

If patient unconscious: Do not give anything by mouth. Do not make patient vomit. If not breathing commence artificial respiration.

Call a doctor.

Use Amyl Nitrite Capsule in all cases. Break and hold lightly under nose for 15 seconds. If patient unconscious—repeat this up to 5 times at 15 second intervals.

METHYL BROMIDE.

Vapour extremely hazardous. Highly volatile and causes burns.

Precautions. Store in cool, well ventilated place. Do not breathe vapour. Avoid contact with skin, eyes or clothing. A suitable respirator should be available and used as required.

FIRST AID MEASURES.—

Put on suitable respirator, then remove patient from further exposure.

If splashing occurs. Remove contaminated clothing.

If splashing occurs on the skin: Wash off skin immediately.

If splashing occurs in the eyes: Flush eyes with water for 5 minutes.

For convulsions: Protect patient from injury. If breathing much obstructed, pull chin forward. Call a doctor.

Call a doctor.

Keep at rest.

ORGANO-PHOSPHORUS COMPOUNDS.

Extremely dangerous if swallowed, inhaled or absorbed through the skin.

Precautions. Wear complete cover protective waterproof clothing, including suitable respirator. Wash hands and face before eating or smoking. Wash clothing and gloves daily. Wash out and destroy empty containers.

FIRST AID MEASURES.—

If splashing occurs: Remove contaminated clothing.

If splashing occurs on the skin: Wash off skin immediately.

If splashing occurs in the eyes: Flush eyes with water for 5 minutes.

If swallowed—only when patient conscious:

Give milk drink (or water if no milk). Give a cup of water with 2 teaspoonfuls of salt (if available). To assist in inducing vomiting tickle back of throat with finger. Give a tablespoonful of Epsom or Glauber Salts.

If patient unconscious: Do not give anything by mouth. Do not make patient vomit. If not breathing commence artificial respiration.

For convulsions: Protect patient from injury. If breathing much obstructed, pull chin forward. Call a doctor.

Call a doctor.

TETRACHLORETHANE.

Danger! Vapour extremely hazardous.

Precautions. Avoid breathing vapour, or contact with skin, eyes or clothing.

FIRST AID MEASURES.—

If inhaled: Remove patient from further exposure.

If splashing occurs: Remove contaminated clothing.

If splashing occurs on the skin: Wash off skin immediately.

If swallowed—only when patient conscious: Give milk drink (or water if no milk) Give a cup of water with 2 teaspoonfuls of salt (if available). To assist in inducing vomiting tickle back of throat with finger. Give a tablespoonful of Epsom or Glauber Salts.

Call a doctor.

THALLIUM.

Extremely poisonous if taken by mouth or absorbed through the skin.

Precautions: Avoid contact with skin.

FIRST AID MEASURES.—

If swallowed—only when patient conscious: Give milk drink (or water if no milk) Give a cup of water with 2 teaspoonfuls of salt (if available). To assist in inducing vomiting tickle back of throat with finger. Give a tablespoonful of Epsom or Glauber Salts.

Call a doctor.

APPENDIX F.

POISONS WHICH ARE REQUIRED TO BE STORED IN A POISONS CUPBOARD.

Any substance included in the Eighth Schedule to the Act (Drugs of Addiction), Arsenic (white), Carbon bisulphide, Chloroform, Fluoroacetic acid, Hydrocyanic acid and cyanides, Nitrophenols, Organo-phosphorus compounds (dimefox, T.E.P.P., and substances containing more than 20 per cent. of thimet, phosdrin, parathion), Phosphorus (yellow), Selenium, Strychnine, Thallium.

APPENDIX G*.

FEES (ANNUAL).

Appendix G amended by *G.G.* 10/2/66, p. 410; *G.G.* 22/9/69, p. 2876.

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1.	Licence to Procure, Manufacture and Supply Poisons other than Drugs of Addiction (by Wholesale Dealing)	5.00
2.	Licence to Procure, Manufacture and Supply Drugs of Addiction (by wholesale Dealing)	5.00
3.	Pharmaceutical Chemist's Licence to Sell Poisons	1.00
4.	Retailer's Licence to Sell Poisons in Schedules 1, 2 and 6	2.00
5.	Retailer's Licence to Sell Poisons in Schedule 6	1.00
6.	Poisons Permit (Industrial)	1.00
7.	Licence to Hawk, Peddle, etc.	2.00
8.	Permit to Sell Veterinary Medicines containing 4th Schedule Drugs (reg. 39)	1.00
9.	Licence to Sell Poisons in Schedule 7	1.00
10.	Permit to distribute samples	2.00

The fee for renewal of a licence shall be the same as for the original licence.

The fee for a licence issued after 31st December shall be one half the annual fee.

APPENDIX H.

FOURTH SCHEDULE DRUGS REFERRED TO IN REGULATION 39 (1).

Except where otherwise stated, a substance in this appendix includes any derivative, compound, preparation or admixture included in relation to that substance in the Fourth Schedule to the Act.—

Antihistamines, Ataractic substances, Chloral hydrate,
Chlorpromazine, Cortisone (for topical use only),
Penicillin, Streptomycin, Sulphanilamide.

APPENDIX I.

Appendix I added by *G.G. 4/6/68*, p. 1695

REGISTER OF PRESCRIBED POISONS SOLD OR SUPPLIED

Date of sale.
Full name of purchaser.
Address of purchaser.
Occupation of purchaser.
Name and quantity of each poison sold.
Purpose for which the poison required.
Reference identifying document ordering the poison.
Purchaser's signature.
Signature of witness.
Address of witness.
Selier's signature.

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*Appendix G substituted by *G.G.* 23/12/71, p. 5318, but not included in the reprint.

95997/4/72

By Authority: WILLIAM C. BROWN, Government Printer