WESTERN AUSTRALIA

POISONS ACT 1964

POISONS REGULATIONS 1965

REPRINTED AS AT 7 JANUARY 1993

Reprinted under the *Reprints Act 1984* as at 7 January 1993.

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ARRANGEMENT

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Citation

1. These regulations may be cited as the *Poisons Regulations 1965*[1].

[*Regulation 1 amended in Gazette 12 October 1984 p. 3267.*]

Interpretation

2. In these regulations unless the context requires otherwise—

"animal" includes bees, birds, cetaceans, crustaceans, fish, molluscs and reptiles;

"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 chief executive officer of the department 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 12 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 least 5 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 packing and repacking, 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 purpose 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, except in the case of a cupboard used for the storage of a drug of addiction, 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 Permanent Head[2] 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 Permanent Head[2];

"quarter" means any one of the 3 monthly periods of any year ending on 31 March, 30 June, 30 September or 31 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;

"SUSDP" means the "Standard for the Uniform Scheduling of Drugs and Poisons No. 6" published by the Australian Government Publishing Service, Canberra, being a consolidation of the National Health and Medical Research Council up to the 60th meeting of the Drugs and Poisons Schedule Committee, February 1991;

"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*.

[*Regulation 2 amended in Gazettes 23 September 1983 p. 3803; 29 June 1984 p. 1784; 28 February 1986 p. 618; 5 December 1986 p. 4467; 27 May 1988 p. 1769; 25 August 1989 p. 2842 (as amended in Gazette 6 October 1989 p. 3738); 8 June 1990 p. 2626; 23 November 1990 p. 5791; 12 April 1991 p. 1608; 7 August 1992 p. 3868.*]

Licence to procure etc. poisons

3. (1) A licence to procure, manufacture and supply by wholesale dealing poisons (other than drugs of addiction) shall authorize the licensee to procure, manufacture and supply (according to the endorsement thereon) by wholesale dealing substances as specified in the licence from the premises described in the licence, and shall be in the form of Form 1 in Appendix A.

(2) In addition to any other conditions required under 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; and

(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 where the person whose name appears on the licence ceases to be employed or is unable to exercise the necessary supervision, the chief executive officer may authorize, in writing, another person who holds the required qualifications to act in his stead.

[*Regulation 3 inserted in Gazette 7 August 1992 pp. 3868-9.*]

Licence to procure etc. drugs of addiction

4. (1) A licence to procure, manufacture and supply by wholesale dealing drugs of addiction shall authorize 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 2 in Appendix A.

(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 Permanent Head[2] may authorize, in writing, some other person having the required qualification to act in his stead.

[*Regulation 4 amended in Gazette 29 June 1984 p. 1784.*]

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 3 in Appendix A.

Retailer's licence to sell poisons specified in the Sixth Schedule to the Act

6. This licence shall authorize 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 4 in Appendix A.

Retailer's licence to sell poisons specified in the Second or Sixth Schedules to the Act

7. This licence shall authorize the licensee to procure, and to sell by retail, poisons specified in either the Second or Sixth Schedules to the Act at the premises described in the licence, and shall be in the Form 5 in Appendix A.

[*Regulation 7 amended in Gazette 23 May 1986 p. 1716.*]

Retailer's licence to sell poisons specified in the Seventh Schedule to the Act

8. This licence shall authorize 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 6 in Appendix A.

Poisons permit (Distribution of samples)

8A. (1) This permit shall, subject to the succeeding provisions of this regulation, authorize the holder to procure from any manufacturer or wholesale dealer specified therein and to supply to certain persons, samples of poisons specified in the Second, Third or Fourth Schedules to the Act and the permit shall be in the Form 6B in Appendix A.

(1a) A permit under this regulation may not be issued in respect of a drug declared to be a **"specified drug"** for the purposes of the Act.

(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 authorize 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 7 days of ceasing to represent the manufacturer or wholesale dealer, the detailer shall advise the Permanent Head[2] in writing of the fact and deliver up therewith his permit to the Permanent Head[2], and the Permanent Head[2] 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 3 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) 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 Permanent Head[2] on the recommendation of the Poisons Advisory Committee has declared such a sample to be a sample to which subregulation (6) does not apply, notwithstanding that the sample may be larger than is required to provide 3 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 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), 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 authorized in accordance with subregulation (5) 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 2 years.

(15) Upon receiving a written request from the Permanent Head[2], a detailer shall submit all records of samples received and delivered and shall make an account of those samples to the Permanent Head[2] or a person authorized 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 Second, Third or Fourth Schedule.

[*Regulation 8A inserted in Gazette 22 September 1969 pp. 2874-76; amended in Gazettes 29 June 1984 p. 1784; 12 April 1991 p. 1608; 16 April 1992 p. 1634; 7 August 1992 p. 3865.*]

Poisons permit (Industrial)

9. This permit shall authorize the holder to purchase from a manufacturer or wholesale dealer such poisons as are specified in the permit, which shall be in the Form 7 in Appendix A.

Poisons permit (Educational, advisory or research)

10. This permit shall authorize the holder to purchase from a manufacturer or wholesale dealer such poisons as are specified in the permit, which shall be in the Form 8 in Appendix A.

Poisons permit (Departmental and hospital)

10A. (1) This permit shall authorize the holder to purchase from a manufacturer or wholesale dealer such poisons as are specified in the permit which shall be in the Form 13 in Appendix A and shall not, except in the case of a permit held by a public hospital, authorize 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*.

[*Regulation 10A inserted in Gazette 14 June 1967 p. 1582.*]

[***11.** Repealed in Gazette 27 May 1988 p. 1769.*]

Application for licences or permits

12. (1) A person desirous of obtaining a licence or permit pursuant to these regulations shall lodge with the Permanent Head[2] an application in or to the effect of such of the Forms 1A to 13A in Appendix A as is appropriate in the particular case, together with the appropriate fee prescribed in Appendix G.

(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.

[*Regulation 12 amended in Gazette 5 October 1979 p. 3085; 6 November 1981 p. 4527; 29 June 1984 p. 1784.*]

Licences and permits—General conditions

Licences and permits issued subject to regulations

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.

Licences and permits renewed annually

14. Every licence or permit issued pursuant to these regulations shall be valid until 30 June next following the day of issue, unless sooner cancelled, suspended or revoked, and may thereafter be renewed annually at the discretion of the Permanent Head[2] on payment of the prescribed fee (if any).

[*Regulation 14 amended in Gazette 29 June 1984 p. 1784.*]

Restriction to issue of licence or permit

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 Permanent Head[2].

[*Regulation 15 amended in Gazette 29 June 1984 p. 1784.*]

Sale of poison only by licensee

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

[*Regulation 16 amended in Gazette 21 November 1986 p. 4270.*]

Licence or permit not transferable

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 Permanent Head[2], 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 Permanent Head[2].

[*Regulation 17 amended in Gazette 29 June 1984 p. 1784.*]

Licensee to display licence

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

Adoption of SUSDP for containers and labels

19. (1) Except as provided by these regulations a person shall not store, supply or transport a poison or hazardous substance unless the immediate container in which the poison or hazardous substance is stored, supplied or transported complies with Part 2 of the SUSDP.

(2) Except as provided by these regulations a person shall not store, supply or transport a poison or hazardous substance unless the container referred to in subregulation (1) bears or has securely affixed to it a label which complies with Part 2 of the SUSDP.

(3) For the purposes of this regulation a reference in the SUSDP to an expression specified in column 1 of the Table to this regulation shall have the same meaning as the corresponding expression in column 2 of that Table has under the Act.

Table

Column 1	Column 2
SUSDP	Poison Act 1964
Schedule 1	First Schedule
Schedule 2	Second Schedule
Schedule 3	Third Schedule
Schedule 4	Fourth Schedule
Schedule 5	Fifth Schedule
Schedule 6	Sixth Schedule
Schedule 7	Seventh Schedule
Schedule 8	Eighth Schedule
Schedule 5 poison	hazardous substance

[*Regulation 19 inserted in Gazette 23 November 1990 p. 5791.*]

Certain containers prohibited

19AA. (1) 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.

(2) A paper or plastic bag or envelope, or a cardboard box shall not be used as a container for a Second, Third, Fourth or Eighth Schedule poison whether dispensed or not, unless the poison is also presented to the purchaser in foil or in individually sealed, measured amounts, commonly described as strip packaging, or unless the container is approved by the chief executive officer.

(3) A paper bag shall not be used as the sole container of any poison or hazardous substance unless it has been approved by the chief executive officer.

[*Regulation 19AA inserted in Gazette 23 November 1990 p. 5791.*]

Food etc. containers to be distinguishable from poison containers

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.

[*Regulation 19A inserted in Gazette 26 May 1971 p. 1773.*]

[***20.** Repealed in Gazette 23 November 1990 p. 5792.*]

Labels on medicines or preparations

21. (1) Notwithstanding regulation 19, a medicine or preparation containing any poison or hazardous substance dispensed in the course of the professional practice of—

(a) a pharmaceutical chemist, medical practitioner or dentist, for human internal use shall comply with that regulation if it is labelled with—

(i) the words "Keep out of reach of children";

(ii) the name of the patient;

(iii) a date of dispensing, and a number identifying the prescription or supply which corresponds to—

(I) the entry in the Prescription Book referred to in regulation 36 (3) (c), in the case of a pharmaceutical chemist; or

(II) the patient's records, in the case of a medical practitioner or dentist;

(iv) the name and address of a pharmacy, or medical or dental surgery, from which it is supplied; and

(v) the instructions given on the prescription, if dispensed by a pharmaceutical chemist, or directions for use, if supplied by a medical practitioner or dentist;

(b) a pharmaceutical chemist, medical practitioner or dentist, for human external use shall comply with that regulation if it is labelled in accordance with paragraph (a), together with the words "Not to be taken";

(c) a pharmaceutical chemist or veterinary surgeon, for use on any animal shall comply with that regulation if it is labelled with—

(i) the words "Keep out of reach of children";

(ii) the owner's surname and the species of animal;

(iii) instructions for the use of that medicine or preparation;

(iv) a date of dispensing, and a number identifying the prescription or supply which corresponds to—

(I) the entry in the Prescription Book referred to in regulation 36 (3) (c), in the case of a pharmaceutical chemist; or

(II) the patient's records, in the case of a veterinary surgeon;

(v) the name and address of the pharmacy, or veterinary practice, from which it is supplied;

(vi) the words "For veterinary use only" or "For animal treatment only", together with the words "For external use only" if the medicine or preparation is not prepared for internal use.

(2) Subregulations (1) (a) and (b) do not apply to a medicine or preparation (containing a poison) labelled in accordance with regulation 19, if it is supplied by a medical practitioner for the purposes of therapeutic treatment of a patient over a period of not more than 3 days.

[*Regulation 21 inserted in Gazette 7 August 1992 pp. 3865-6.*]

Appendix K container must have appropriate label

21A. (1) A person, whether a pharmaceutical chemist or otherwise, shall not sell, supply, distribute or dispense a poison for internal human use set out in Appendix K unless the container immediately containing the poison bears, or has securely affixed to it a label bearing either of the following statements—

"This medicine may cause drowsiness. If affected do not drive a motor vehicle or operate machinery. Avoid alcohol."; or

"This medicine may cause drowsiness and may increase the effects of alcohol. If affected do not drive a motor vehicle or operate machinery.".

(2) Subregulation (1) shall not apply to—

(a) a person licensed pursuant to section 24 (1) (a) of the Act; and

(b) the supply by a medical practitioner of any poison or substance containing a poison for the purposes of therapeutic treatment to a patient while that patient is hospitalized.

[*Regulation 21A inserted in Gazette 11 July 1986 p. 2339; amended in Gazette 19 March 1988 p. 838.*]

[*22, 23, 24. Repealed in Gazette 23 November 1990 p. 5792.*]

Carcinogenicity and teratogenicity warnings to be approved

24A. A person shall not include on a label a statement relating to carcinogenicity or teratogenicity in relation to any poison or hazardous substance unless the statement in relation to the poison or hazardous substance has been approved by the chief executive officer.

[*Regulation 24A inserted in Gazette 17 August 1990 p. 4081.*]

Containers and labels—general

Chief executive officer may approve container or label

25. The Permanent Head[2] 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.

[*Regulation 25 amended in Gazette 29 June 1984 p. 1784.*]

Chief executive officer may suspend use of container or label

26. The Permanent Head[2] 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.

[*Regulation 26 amended in Gazette 29 June 1984 p. 1784.*]

[*27. Repealed in Gazette 23 November 1990 p. 5792.*]

Size of warning statement

27AA. Whenever it is required that a warning statement referred to in regulation 21A shall appear on a container or a label, the words in that statement shall be not less than 4 point face measurement.

[*Regulation 27AA inserted in Gazette 11 July 1986 p. 2339.*]

Information to be provided on poison label by pharmaceutical chemist

27A. Every preparation containing a poison dispensed by count by a pharmaceutical chemist on the prescription of a medical practitioner, dentist or veterinary surgeon or supplied by a veterinary surgeon to the custodian of an animal, shall be labelled—

(a) with the name and strength or amount of each poison in the preparations; or

(b) with the trade name and strength of the preparation, unless the trade name also uniquely identifies the strength, in which case only the trade name need be given.

[*Regulation 27A inserted in Gazette 5 December 1986 p. 4467.*]

[*28. Repealed in Gazette 23 November 1990 p. 5792.*]

Storage of hydrocyanic acid or cyanides

29. [*(1), (2) repealed.*]

(3) Hydrocyanic acid or cyanides, in bulk, shall, subject to regulation 29B, be stored on premises which are specified in a licence or permit—

(a) in a shipping container which is raised off the ground;

(b) raised off the ground on a well drained site—

(i) surrounded by a security fence with barbed wire and a security gate with barbed extension both being not less than 2 metres in height; and

(ii) where less than 5 kilometres from a town, roofed so as to protect the hydrocyanic acid or cyanides from exposure to rain; or

(c) being a warehouse ventilated in accordance with regulation 7 or 8 of the Factories (Health and Safety) Regulations[3]; or

(d) being premises approved by the Permanent Head[2].

[*Regulation 29 inserted in Gazette 28 February 1986 p. 618; amended in Gazette 1 August 1986 p. 2739.*]

Conditions for storage of hydrocyanic acid or cyanides

29A. Hydrocyanic acid or cyanides stored in accordance with regulation 29(3)—

(a) shall be adequately and properly ventilated to prevent the accumulation of hydrogen cyanide gas;

(b) shall be secured in a lockable container or enclosure which is kept locked when the premises are unattended; and

(c) shall not be stored in the same premises as the liquid form of any acid other than hyrocyanic acid,

and no other items shall be stored in the same premises as the hydrocyanic acid or cyanides unless than are physically divided and easily and readily distinguishable from the hydrocyanic acid or cyanides.

[*Regulation 29A inserted in Gazette 28 February 1986 p. 618.*]

Condition of storage of transported hydrocyanic acid or cyanide

29B. Where hydrocyanic acid or cyanide is in the process of being transported it may be stored on other than licensed premises for a period of not more than 24 hours.

[*Regulation 29B inserted in Gazette 28 February 1986 p. 618.*]

Storage of substances other than those specified in regulations 29 or 56

30. Any person having a hazardous substance or a poison, other than those specified in regulations 29 or 56, 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.

[*Regulation 30 amended in Gazette 1 August 1986 p. 2739.*]

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 16 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.

Restrictions applying to veterinary preparations

33A. A person shall not—

(a) administer to himself or another person; or

(b) sell or supply for human use,

a medicine or other product which contains a poison and which was prepared for use in animals.

[*Regulation 33A inserted in Gazette 11 November 1988 p. 4444.*]

Adoption of SUSDP for certain paints

33B. If a paint contains a substance listed in Schedule 1 or Schedule 2 to Appendix P of SUSDP, a person shall not manufacture, sell or use that paint except in accordance with that Appendix.

[*Regulation 33B inserted in Gazette 12 April 1991 p. 1608.*]

[***34, 34A, 34B, 34C.*** *Repealed in Gazette 23 May 1986 p. 1716.*]

New drugs

34D. (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 Permanent Head[2] 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.

[*Regulation 34D was previously numbered regulation 35 and while it was numbered 35 it was amended in Gazette 29 June 1984 p. 1784; renumbered as 34D in Gazette 8 February 1985 p. 521.*]

Restrictions on retail sale of Second and Third Schedule poisons

Restrictions on retail sale of Second Schedule poisons

35. A substance referred to in the Second Schedule shall not be stored for retail sale in any area or in any manner that allows physical access to that substance by any person other than—

(a) the owner of the business carried on; or

(b) a person employed,

on the premises where it is stored.

[*Regulation 35 inserted in Gazette 8 February 1985 p. 521.*]

Restrictions on retail sale of Third Schedule poisons

35A. [*(1) repealed.*]

(1a) A substance referred to in the Third Schedule shall not be sold or supplied by retail except under the personal supervision of a pharmaceutical chemist.

(1b) A pharmaceutical chemist shall not store in any part of the retail area of premises any of the substances referred to in Appendix J.

(1c) A substance referred to in Appendix J shall only be sold or supplied by direct, personal sale by a pharmaceutical chemist or by a graduate trainee in pharmacy under the personal supervision of a pharmaceutical chemist.

(2) Before a substance referred to in Appendix J is delivered to a purchaser on a sale by retail, the pharmaceutical chemist or graduate trainee in pharmacy making the sale shall—

(a) record, in ink, in the prescription book referred to in regulation 36 (3) (c), the following particulars—

(i) the date of sale;

(ii) the name and address of the purchaser and, where the person for whom the substance is intended is not the purchaser, the name and address of the person for whom the substance is intended; and

(iii) the name and quantity of the substance supplied,

and the entry in the prescription book shall be given a unique identification number or letter;

(b) label the product with—

(i) the name and address of the pharmacy; and

(ii) the unique identifying number or letter allocated in accordance with paragraph (a).

(3) The prescription book referred to in this regulation shall be available for inspection upon request by any inspector appointed under the *Health Act 1911* or to a person authorized in that behalf by the Minister.

(4) The seller shall retain the records required to be made under this regulation for a period of at least 2 years.

[*Regulation 35A inserted in Gazette 28 November 1968 p. 3458; amended in Gazettes 29 August 1990 p. 3028; 20 September 1985 p. 3743; 30 November 1990 p. 5908; 13 December 1991 p. 6190.*]

Nystatin for vaginal use

35AA. A supplier shall ensure that nystatin referred to in the Third Schedule shall not be sold in products for vaginal use unless accompanied by guidelines approved by the chief executive officer.

[*Regulation 35AA inserted in Gazette 7 August 1992 p. 3869.*]

Storage of substances referred to in Third Schedule

35B. A substance referred to in the Third Schedule shall not be stored in a pharmacy in any area or in any manner that allows physical access to that substance by any person other than a person who is a member of the staff of the pharmacy.

[*Regulation 35B inserted in Gazette 29 August 1980 p. 3028.*]

Advertising substances referred to in Third Schedule

35C. A substance referred to in the Third Schedule, except where that substance is in a pregnancy testing kit, shall not be advertised except in a *bona fide* professional or trade journal or other publication intended for circulation only within the medical, veterinary, dental or pharmaceutical professions or the wholesale and manufacturing drug trade.

[*Regulation 35C inserted in Gazette 23 September 1983 p. 3803; amended in Gazette 2 October 1987 p. 3776.*]

Advertising, storage and display of Fourth Schedule substances

35D. A substance referred to in the Fourth Schedule—

(a) shall not be advertised except in a publication that is normally sold or intended for sale or circulation only among—

(i) persons of the kind referred to in section 23 (2) of the Act; or

(ii) persons who are holders of licences granted under section 24 (1) (a), (b) or (c) of the Act;

and

(b) shall not be held, stored or exposed or offered for sale in any portion of a pharmacy to which persons other than members of the staff of the pharmacy have access.

[*Regulation 35D inserted in Gazette 23 January 1987 p. 187.*]

Supply of Fourth Schedule drugs

36. (1) Subject to the Act and these regulations, a person shall not sell or supply a Fourth Schedule drug to any person unless—

(a) he or she—

(i) is satisfied that the person to whom the drug is sold or supplied is authorized under regulation 40 (1) to procure the drug; and

(ii) receives from that person a written order in accordance with regulation 40 (1a) or makes a record under regulation 41B;

(b) the person to whom the drug is sold or supplied 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; or

(c) satisfied that the person to whom the drug is sold or supplied is under medical treatment with the drug and requires emergency treatment with the drug and does not sell or supply to that person more than—

(i) 3 days medication of the drug; or

(ii) where the drug is supplied in prepacked individual packs, one individual standard pack.

(1a) A person who has received a written order under subregulation (1) (a) (ii) shall keep that order for at least 2 years from the time he or she received it and produce it at any time during the 2 years from the time he or she received it when required to do so by the Executive Director.

(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 Permanent Head[2] 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 for at least 2 years and shall be produced on demand to any person authorized in that behalf under the Act or these regulations;

(d) a prescription shall not be dispensed if it is—

(i) marked "cancelled"; or

(ii) more than 12 months old;

(e) a prescription which is illegible or defaced or which appears to be for the purpose of enabling some unauthorized 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) is presented shall retain the prescription and forthwith inform the Permanent Head[2] of the relevant circumstances and the reasons for his refusal to dispense the prescription.

[*Regulation 36 amended in Gazettes 19 February 1971 pp. 518-9; 29 August 1980 p. 3028; 29 June 1984 p. 1784; 5 July 1985 p. 2392; 7 August 1987 p. 3038; 18 September 1987 p. 3596; 2 June 1989 p. 1603; 3 June 1990 p. 2626; 16 April 1992 p. 1634.*]

Conditions for prescription for a Fourth Schedule drug

37. (1) 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 name and address of the patient;

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

[(i) *deleted*];

(ii) the name and quantity of the substance;

(iii) direction 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;

(ba) where a prescription is processed on a computer which—

(i) complies with the criteria specified in Appendix L; or

(ii) is recommended by the Poisons Advisory Committee and approved in writing by the Executive Director, Public Health,

the prescription shall contain—

(iii) the information required under paragraph (b) (ii) to (v), in a form generated by the computer;

(iv) the endorsement "Issued under the *Poisons Regulations 1965* (Regulation 37 (1) (ba))";

and

(v) the signature of the prescriber in his or her own handwriting;

(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 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.

(2) With the written approval of the chief executive officer a medical practitioner, dentist or veterinary surgeon may issue a typewritten prescription where the chief executive officer is satisfied that by reason of physical infirmity the prescriber is unable to write legibly in his or her own handwriting but in that case the prescriber shall sign the prescription with his or her usual signature.

[*Regulation 37 inserted in Gazette 19 February 1971 p. 519; amended in Gazettes 21 November 1986 p. 4269; 5 December 1986 p. 4467; 17 August 1990 p. 4081; 26 July 1991 p. 3854; 7 August 1992 p. 3869.*]

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, 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.

Silver sulphadiazine

38A. (1) Silver sulphadiazine or a substance containing silver sulphadiazine shall not be used except in a hospital for the purpose of the treatment of major burns or the treatment of conditions where full thickness skin loss has occurred.

(2) Notwithstanding any other provision of these regulations, silver sulphadiazine shall not be sold or supplied, except—

(a) for use in the treatment of major burns or the treatment of conditions where full thickness skin loss has occurred, to—

(i) a medical practitioner, for treatment of a patient at a hospital;

(ii) a matron of a hospital;

(iii) a patient in a hospital;

(iv) the Royal Flying Doctor Service for inclusion in the Royal Flying Doctor Service Kits for use only under the direction of a medical practitioner;

(b) to a pharmaceutical chemist for the purpose of sale or supply to a person referred to in paragraph (a);

(c) to a licensed wholesaler for the purpose of sale or supply to a person referred to in paragraph (a) (i), (a) (ii) or (b);

(d) to a licensed manufacturer for the purpose of sale or supply to a person referred to in paragraph (a) (i), (a) (ii), (b) or (c).

[*Regulation 38A inserted in Gazette 24 December 1982 p. 4904; amended in Gazette 23 May 1986 p. 1716.*]

Buprenorphine

38B. Notwithstanding any other provision of these regulations, regulations 51C, 51D and 51E apply to the prescribing, use, sale and supply of buprenorphine as if references in those regulations to methadone were references to buprenorphine.

[*Regulation 38B inserted in Gazette 6 April 1984 p. 928; erratum in Gazette 13 April 1984 p. 1020.*]

Clomiphene and Cyclofenil

38C. Clomiphene or Cyclofenil or a substance containing clomiphene or cyclofenil and other substances specifically prepared to stimulate ovulation shall not be supplied except by wholesale dealing or on the prescription or order of a medical practitioner specializing in gynaecology or obstetrics or for the purpose of the conduct of medical or scientific research including veterinary trials under the direction of veterinary surgeons.

[*Regulation 38C inserted in Gazette 8 February 1985 p. 519; amended in Gazettes 31 May 1985 p. 1882; 23 May 1986 p. 1716; 2 June 1989 p. 1603.*]

Etretinate

38D. (1) Etretinate or a substance containing etretinate shall not be supplied except—

(a) by wholesale dealing; or

(b) on the prescription or order of a medical practitioner specializing in general medicine or dermatology.

(1a) Where etretinate or a substance containing etretinate is supplied in accordance with subregulation (1) (b) the supplier shall—

(a) when supplying the patient or the agent of the patient with the etretinate or the substance containing etretinate, provide that person with a leaflet approved by the chief executive officer of the department setting out the hazards associated with the use of etretinate; and

(b) ensure that the container in which the etretinate or the substance containing etretinate is supplied is labelled with a statement as follows—

"WARNING—CAUSES BIRTH DEFECTS".

(2) A prescriber shall ensure that the possibility of pregnancy has been excluded prior to the commencement of the treatment and that the patient is informed that she must not become pregnant for a period of 24 months after completion of the treatment.

[*Regulation 38D inserted in Gazette 8 February 1985 p. 519; amended in Gazettes 31 May 1985 p. 1882; 23 May 1986 p. 1716; 2 October 1987 p. 3776; 27 May 1988 p. 1770; 11 November 1988 p. 4444; 2 June 1989 p. 1603.*]

Prostaglandins

38E. Cloprostenol, dinoprost, dinoprostone, fenprostalene, fluprostenol, prostianol or a substance containing any of those prostaglandins shall not be supplied except—

(a) by wholesale dealing;

(b) on the prescription of a veterinary surgeon for use in the treatment of animals; or

(c) in the case of dinoprost or dinoprostone or a substance containing dinoprost or dinoprostone, on the prescription of a—

(i) medical practitioner specializing in general medicine;

(ii) medical practitioner specializing in gynaecology or obstetrics; or

(iii) medical practitioner authorized in writing by the chief executive officer of the department.

[*Regulation 38E inserted in Gazette 2 June 1989 p. 1604; amended in Gazette 16 April 1992 p. 1635.*]

Isotretinoin

38F. (1) Isotretinoin or a substance containing isotretinoin shall not be supplied except—

(a) by wholesale dealing; or

(b) on the prescription or order of a medical practitioner specializing in general medicine or dermatology.

(1a) Where isotretinoin or a substance containing isotretinoin is supplied in accordance with subregulation (1) (b) the supplier shall—

(a) when supplying the isotretinoin or the substance containing isotretinoin to the patient or the agent of the patient, provide that person with a leaflet approved by the chief executive officer of the department setting out the hazards associated with the use of isotretinoin; and

(b) ensure that the container in which the isotretinoin or the substance containing isotretinoin is supplied is labelled with a statement as follows—

"WARNING—CAUSES BIRTH DEFECTS".

(2) A prescriber shall ensure that the possibility of pregnancy has been excluded prior to the commencement of the treatment and that the patient is informed that she must not become pregnant for a period of one month after completion of the treatment.

[*Regulation 38F inserted in Gazette 31 May 1985 p. 1882; amended in Gazettes 23 May 1986 p. 1716; 2 October 1987 p. 3776; 27 May 1988 p. 1770; 2 June 1989 p. 1604.*]

Thalidomide for human use

38G. (1) Thalidomide or a substance containing thalidomide shall not be supplied except—

(a) by wholesale dealing; or

(b) on the prescription or order of a medical practitioner specializing in general medicine or dermatology.

(2) Where thalidomide or a substance containing thalidomide is supplied in accordance with subregulation (1) (b) the supplier shall—

(a) when supplying the thalidomide or the substance containing thalidomide to the patient or the agent of the patient provide that person with a leaflet approved by the chief executive officer setting out the hazards associated with the use of thalidomide; and

(b) ensure that the container in which the thalidomide or the substance containing thalidomide is supplied is labelled "WARNING—CAUSES BIRTH DEFECTS".

(3) A prescriber shall ensure that the possibility of pregnancy has been excluded prior to the commencement of treatment and that the patient is informed that she must not become pregnant for a period of one month after completion of treatment.

[*Regulation 38G inserted in Gazette 26 July 1991 p. 3854.*]

Chloramphenicol

38H. Chloramphenicol or substances containing chloramphenicol shall not be supplied except—

(a) by wholesale dealing;

(b) for human use on the prescription of a medical practitioner; or

(c) for use in or on an animal on the prescription of a veterinary surgeon in respect of an animal not used for meat, egg or milk production.

[*Regulation 38H inserted in Gazette 2 June 1989 p. 1604.*]

Follicular stimulating hormone and luteinizing hormone

38I. Follicular stimulating hormone, luteinizing hormone or a substance containing follicular stimulating hormone or luteinizing hormone shall not be supplied except—

(a) by wholesale dealing;

(b) on the prescription of a medical practitioner specializing in gynaecology or obstetrics;

(c) on the prescription of a medical practitioner specializing in general medicine; or

(d) for the purpose of the conduct of medical or scientific research including veterinary trials under the direction of a veterinary surgeon.

[*Regulation 38I inserted in Gazette 2 June 1989 p. 1604.*]

Fourth Schedule veterinary drugs

38J. The Fourth Schedule veterinary drugs listed in the Table to this regulation or a substance containing any of those drugs shall not be supplied except—

(a) by wholesale dealing; or

(b) on the prescription of a veterinary surgeon for use in the treatment of animals.

TABLE

VETERINARY DRUGS

4-aminopyridine.
cephadroxil.
2(4-chlorophenyl)-1,2,4-triazole [5,1a]-isoquinoline.
clanobutin.
clenbuterol.
detomidine.
flunixin meglumine.
metergoline.
romifidine.
sodium pentosan polysulphate.
sulphamonomethoxine.
sulphatroxazole.
tiletamine.
zolazepam.

[*Regulation 38J inserted in Gazette 13 December 1991 pp. 6190-1.*]

Carnidazole

38K. Carnidazole or a substance containing carnidazole shall not be supplied except—

(a) by wholesale dealing; or

(b) on the prescription of a veterinary surgeon for use in the treatment of pigeons.

[*Regulation 38K inserted in Gazette 2 June 1989 p. 1604.*]

Oxolinic acid

38L. Oxolinic acid or any substance containing oxolinic acid shall not be supplied except—

(a) by wholesale dealing; or

(b) on the prescription of a veterinary surgeon for use in the treatment of fish.

[*Regulation 38L inserted in Gazette 13 December 1991 p. 6191.*]

Fourth Schedule drugs for veterinary use

39. (1) Notwithstanding the provisions of regulation 36 a pharmaceutical chemist is authorized to supply for veterinary use a Fourth Schedule drug listed in Appendix "H" without a prescription where—

(a) the purchaser satisfies such pharmaceutical chemist that it is not reasonably practicable for him to obtain such a prescription;

(b) the name and address of the purchaser, date of supply, form and quantity of drug supplied, species of animal and number of animals to be treated, and a descriptive name of the disease for which the animals are to be treated, are entered in a register of poisons;

(c) the quantity of drugs supplied is not greater than is required to provide 72 hours of therapeutic treatment according to the directions for normal dosage with the drug, or in the case of a pre-packed proprietary brand the smallest size manufactured for sale of the proprietary brand which provides 72 hours treatment; and

(d) the pharmaceutical chemist provides adequate written instructions for the use of the drug.

[*(2) repealed.*]

[*Regulation 39 inserted in Gazette 26 August 1977 p. 2966; amended in Gazette 2 October 1987 p. 3776.*]

Stockfeed manufacturers may sell Fourth Schedule drugs

39A. (1) Notwithstanding any other provision of these regulations a stockfeed manufacturer holding an appropriate permit under subregulation (3) may sell by retail to any person producing a written order therefor signed by a veterinary surgeon, a mixture of stockfeed with any Fourth Schedule drug being an antibiotic or sulphonamide, in such quantity and of such composition as is specified in the order.

(2) The signed order shall be cancelled by the stockfeed manufacturer and retained by him for not less than 2 years after the sale, and upon request shall be produced for inspection to an officer authorized in that behalf by the Permanent Head[2].

(3) A stockfeed manufacturer who wishes to sell by retail mixtures pursuant to subregulation (1) may apply to the Permanent Head[2] for, and at the discretion of the Permanent Head[2] be granted, a permit in Form 11AA in Appendix A, specifying the Fourth Schedule drugs that may be contained in such mixtures, and any limits as to the quantity or composition of such mixtures that may be sold.

(4) The provisions of section 23 of the Act do not apply to a sale by a stockfeed manufacturer pursuant to and in accordance with this regulation or to the preparation of a mixture of stockfeed for the purposes of such sale.

[*Regulation 39A inserted in Gazette 5 October 1979 p. 3085; amended in Gazette 29 June 1984 p. 1784.*]

Special authority to purchase Fourth Schedule drugs

40. (1) 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 authorized in writing by the Permanent Head[2],

is authorized to procure, in accordance with subregulation (1a), a 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 other than in accordance with these regulations or in any quantity greater than is permitted by the Permanent Head[2].

(1a) A person authorized under subregulation (1) to procure a Fourth Schedule drug shall, unless a record is made under regulation 41B in relation to the procurement of the drug, provide a written order to the person from whom he or she is attempting to procure the drug, setting out—

(a) the name, address and signature of the authorized person;

(b) the date of the order; and

(c) the name and quantity of the drug.

(2) A person who wishes to use any Fourth Schedule drug being an antibiotic or sulphonamide for the preparation of mixtures for sale pursuant to regulation 39A, and who holds a permit under that regulation to sell such mixtures, is authorized to procure, use and be in possession of such Fourth Schedule drug for the preparation of such mixtures.

[*Regulation 40 amended in Gazettes 5 October 1979 p. 3085; 29 June 1984 p. 1784; 8 February 1985 p. 519; 8 June 1990 p. 2627.*]

Delivery of a Fourth Schedule drug on order

41. A person who sells or supplies a Fourth Schedule drug under regulation 36 (1), other than to the holder of a prescription under regulation 36 (1) (b), may deliver that drug, or cause it to be delivered only—

(a) to the person to whom he or she sold or supplied the drug; or

(b) in accordance with the written directions of a person referred to in paragraph (a).

[*Regulation 41 inserted in Gazette 8 June 1990 p. 2627.*]

Sale of certain Sixth and Seventh Schedule poisons

41A. (1) A person who sells any poison included in the Seventh Schedule, or 2 or more kilograms of a poison included in the Sixth Schedule and listed in the Table to this regulation—

(a) to a *bona fide* primary producer;

(b) to a licensed pesticide operator;

(c) to a holder of an industrial poisons permit specifying that poison; or

(d) by retail,

shall, in addition to any conditions, restrictions and limitations imposed by notice under section 24 (5) or by licence issued in accordance with these regulations, keep a record of sale in accordance with this regulation.

(2) A person recording a sale for the purposes of subregulation (1) shall—

(a) record in ink in a register kept for that purpose particulars of—

(i) the date of sale;

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

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

(iv) the place and purpose of intended use,

and obtain the signature of the purchaser to the entry in the register; or

(b) keep a record in the form of an invoice showing particulars of—

(i) the date of sale;

(ii) the name and address of the purchaser;

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

(iv) the address to which the poison is to be delivered if that address differs from the address recorded under subparagraph (ii).

(3) A record of sale made for the purposes of this regulation shall be—

(a) made before delivery of the poison;

(b) kept for a period of at least 2 years; and

(c) produced for inspection on demand by a person appointed or authorized by or under the Act to inspect those records.

TABLE

Aldrin

Chlordane

Dieldrin

Heptachlor

[*Regulation 41A inserted in Gazette 23 May 1986 p. 1721; erratum in Gazette 30 May 1986 p. 1769.*]

Standard for intramammary antibiotic preparations

41AA. A person shall not sell or supply any preparation for intramammary infusion in animals which contains any antibiotic substance unless it is packed in an applicator device specially designed for intramammary infusion and is suitably coloured with no less than 25 mg per dose of Brilliant Blue FCF so that the visual end point excludes 95% of excreted antibiotic.

[*Regulation 41AA inserted in Gazette 17 August 1990 p. 4081.*]

Camphor and naphthalene

41AB. A person shall not sell or supply camphor or naphthalene in block, ball, disc or pellet form for domestic use unless the blocks, balls, discs or pellets are enclosed in a device which prevents removal or ingestion of the contents during use.

[*Regulation 41AB inserted in Gazette 26 July 1991 p. 3854.*]

Record of Third, Fourth and Seventh Schedule poisons

41B. (1) Every person who holds a licence to procure, manufacture, or supply poisons referred to in the Third, Fourth, or Seventh Schedule by wholesale dealing shall, in relation to the supply of any such poison, keep an accurate record of—

(a) the day on which the poison was supplied;

(b) the quantity, form and strength of the poison supplied;

(c) the name and address of the person to whom it was supplied; and

(d) the reference number on the invoice or other document evidencing the supply,

and the record shall be made on the day of supply and shall be kept for not less than 2 years after that day.

(2) A person referred to in subregulation (1) shall send to the chief executive officer of the department particulars in writing of any of the information required to be recorded and kept by that person under subregulation (1)—

(a) within 7 days of being requested to do so where the information has been recorded within 2 months immediately before the request; and

(b) otherwise within 28 days of being requested to do so.

[*Regulation 41B inserted in Gazette 19 December 1986 p. 4874-75; amended in Gazette 27 May 1988 p. 1770.*]

DRUGS OF ADDICTION

Authority for prescribed persons to procure and have drugs of addiction

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;

[(c) *deleted*]

(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 Permanent Head[2] under these regulations,

is, subject to these regulations, hereby authorized 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 authorized 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 Permanent Head[2].

(4) Until in any particular case such authority is withdrawn a dentist is, subject to these regulations and for the purpose of his profession, hereby authorized to procure and be in possession of the following drugs of addiction in quantities not greater than those set out hereunder—

PETHIDINE, in a form prepared for injection with a total pethidine content of 600 milligrams

PAPAVERETUM, in tablet form, with a total papaveretum content of 240 milligrams

CODEINE PHOSPHATE, in tablet form, with a total codeine phosphate content of 900 milligrams

METHADONE, in tablet form, with a total methadone content of 240 milligrams

MORPHINE, in a form prepared for injection, with a total morphine content of 180 milligrams

OXYCODONE, in tablet form, with a total oxycodone content of 120 milligrams

PENTAZOCINE, in a form prepared for injection, with a total pentazocine content of 360 milligrams.

[*Regulation 42 amended in Gazettes 9 February 1970 p. 370; 29 June 1984 p. 1784; 8 February 1985 p. 520.*]

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 authorized, subject to the conditions, limitations and restrictions imposed by the Permanent Head[2], 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 authorized 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 Permanent Head[2].

[*Regulation 43 amended in Gazette 29 June 1984 p. 1784.*]

Authority to procure, possess, etc. drugs of addiction and specified drugs may be revoked, etc.

43A. The Permanent Head[2] may by notice given to any such person as is referred to in section 23 (2) of the Act, revoke, in whole or in part, the authority conferred by that subsection on that person in relation to drugs of addiction and specified drugs.

[*Regulation 43A inserted in Gazette 29 August 1980 p. 3028; amended in Gazette 29 June 1984 p. 1784.*]

Register of drugs of addiction

44. (1) Any person authorized 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, dentist 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 or in any other form required by the chief executive officer of the department in writing, 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 authorized 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 authorized 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 or cause to be entered in the Register—

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

(b) the date or each transaction;

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

(ca) the name of the person who wrote the prescription or order;

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

(e) in the case of a pharmaceutical chemist the identifying 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.

[*Regulation 44 amended in Gazettes 23 September 1983 p. 3803; 26 July 1991 p. 3855.*]

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 Permanent Head[2] in writing of the discrepancy.

[*Regulation 45 amended in Gazette 29 June 1984 p. 1784.*]

Record of drugs of addiction

46. (1) Where a person authorized 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 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 authorized person, be produced for inspection on demand by a person appointed or authorized by or under the Act to inspect those records.

Records to be retained for 7 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 authorized to have drugs of addiction in his possession for not less than 7 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 authorized by or under the Act or regulations or by a member of the Police Force and shall be accounted for, during the inspection, by the person licensed or authorized to have drugs of addiction in his possession.

(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 Permanent Head[2] 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 authorized or licensed to procure and be in possession of a drug of addiction, on ceasing to be so authorized or licensed shall, if requested by the Permanent Head[2], surrender any records, registers, prescription books, invoices or other documents and stocks of drugs of addiction that are in his possession to the Permanent Head[2].

(5) A person required by these regulations to make and keep records, registers, returns, prescription books, invoices and other documents relating to drugs of addiction shall not make any entry therein which is false or untrue in any particular.

(6) The duplicate copy of the form or printout of the computerised recording system approved by the Permanent Head[2] for the purposes of regulation 52B is a record to be retained for the purposes of this regulation and, in the case of a transaction referred to in regulation 52 (3) (h), it shall be kept at the place at which the drug was dispensed for at least one year from the date of the transaction.

[*Regulation 47 amended in Gazettes 23 September 1983 p. 3804; 29 June 1984 p. 1784; 31 January 1986 p. 332; 7 August 1987 p. 3083.*]

Returns from manufacturers and wholesalers

48. (1) Every person who holds a licence to manufacture, distribute or sell drugs of addiction by wholesale shall complete and forward to the Permanent Head[2], every 7 days a form approved by the Permanent Head[2] for that purpose, reporting all transactions in drugs of addiction made by him during that week.

(2) The form referred to in subregulation (1) may be required by the Permanent Head[2] to be in a code approved by him from time to time and shall describe the composition, form, strength, size and quality of each drug of addiction and identify

the person from whom, or to whom a drug of addiction has been obtained or supplied.

[*Regulation 48 inserted in Gazette 23 September 1983 p. 3804; amended in Gazette 29 June 1984 p. 1784.*]

Drugs of addiction for use on ships and aircraft

49. (a) Ships—

(1) The master of a ship is authorized 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—

(i) section 125 of the *Navigation Act 1912* of the Commonwealth;

(ii) the navigation authority of any State of Australia; or

(iii) a law applying to ships in the country in which the ship is registered.

(2) The holder of a licence or other authorized 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 authorized 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—

(i) section 125 of the *Navigation Act 1912* of the Commonwealth;

(ii) the navigation authority of any State of Australia; or

(iii) a law applying to ships in the country in which the ship is registered.

(b) Aircraft—

(1) The person in charge of an aircraft is authorized 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 Transport (Commonwealth) to be carried on the aircraft.

(2) The holder of a licence or other authorized person may supply such drug of addiction on receipt of a written order signed by the manager, or a person authorized 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 Permanent Head[2] or the officer in charge of the nearest Police Station.

[*Regulation 49 amended in Gazette 29 June 1984 p. 1784.*]

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 authorized by the Permanent Head[2] 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.

[*Regulation 50 amended in Gazette 29 June 1984 p. 1784.*]

Prescriptions

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

(a) the prescription shall bear on its face, legibly printed or written in ink the name and address of the prescriber; and

(b) subject to paragraph (ba) the prescription shall bear on its face, legibly written in ink in the handwriting of the prescriber—

(i) the date when it is written;

(ii) the signature of the prescriber;

(iii) 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;

(iv) the description and quantity of the drug or preparation containing the drug to be dispensed;

(v) adequate directions for use, including where applicable, the dose to be taken or administered;

(vi) where it is to be dispensed more than once, the maximum number of times it may be repeated and the intervals at which it may be dispensed;

(vii) the words 'for animal treatment only' if it is written by a veterinary surgeon;

(viii) the words 'for dental treatment only' if it is written by a dentist;

(ix) where it contains an unusual dose, an indication that such is intended, by underlining that part of the prescription and initialling the same in the margin;

(ba) where a prescription is processed on a computer which—

(i) complies with the criteria specified in Appendix L; or

(ii) is recommended by the Poisons Advisory Committee and approved in writing by the Executive Director, Public Health,

the prescription shall contain—

(iii) the information required under paragraph (b) (i), (iii), (vii) and (viii) in a form generated by the computer;

(iv) the endorsement "Issued under the *Poisons Regulations 1965* (Regulation 51 (1) (ba))";

and

(v) the signature of the prescriber in his or her own handwriting;

(c) the 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 issued.

(2) With the written approval of the Permanent Head[2] a person authorized to prescribe drugs of addiction may issue a typewritten prescription where the Permanent Head[2] is satisfied that by reason of physical infirmity the prescriber is unable to write legibly in his own handwriting but in that case the prescriber shall sign the prescription with his usual signature.

[*Regulation 51 inserted in Gazette 23 September 1983 p. 3804; amended in Gazettes 29 June 1984 p. 1784; 31 January 1986 p. 332; 26 July 1991 p. 3855.*]

Definition of "drug addict"

51A. For the purposes of regulations 51AA to 51G—

"drug addict" means a person who is—

(a) under a state of periodic or chronic intoxication produced by consumption of a drug of addiction or any substitute therefor;

(b) under a desire or craving to take a drug of addiction or any substitute therefor until he has so satisfied that desire or craving;

(c) under a psychic or physical dependence to take a drug of addiction or any substitute therefor; or

(d) listed in the register of information kept under the *Drugs of Addiction Notification Regulations 1980.*

[*Regulation 51A inserted in Gazette 29 August 1980 p. 3028; amended in Gazettes 12 October 1984 p. 3267; 12 April 1991 p. 1608.*]

Disclosure by drug addict to medical practitioner

51AA. A drug addict shall, when seeking to obtain from a medical practitioner—

(a) a drug of addiction; or

(b) a prescription or document prescribing the use, sale or supply of a drug of addiction,

disclose to the medical practitioner the fact that he is a drug addict.

[*Regulation 51AA inserted in Gazette 12 October 1984 p. 3267.*]

Authorization by chief executive officer required for medical practitioner to issue prescription to drug addict

51B. A medical practitioner shall not write, issue or authorize a prescription or document prescribing the use, sale or supply of a drug of addiction, other than methadone or supply a drug of addiction, other than methadone for the treatment of a person who is—

(a) a drug addict; or

(b) a person who has been named as a drug addict by the Permanent Head[2] by notice forwarded to the medical practitioner,

unless he has first obtained written authorization to do so from the Permanent Head[2].

[*Regulation 51B inserted in Gazette 29 August 1980 p. 3028; amended in Gazettes 29 June 1984 p. 1784; 23 May 1986 p. 1716.*]

Authorization of chief executive officer required for medical practitioner to prescribe methadone for drug addict

51C. A medical practitioner shall not write, issue or authorize a prescription or document prescribing the use, sale or supply of methadone or supply methadone for the treatment of a person who is—

(a) a drug addict; or

(b) a person who has been named as a drug addict by the Permanent Head[2] by notice forwarded to the medical practitioner,

unless the medical practitioner has—

(c) notified the Permanent Head[2] of the condition of health of that person in accordance with the *Drugs of Addiction Notification Regulations 1980* as in force under the *Health Act 1911* from time to time; and

(d) received written authorization to do so from the Permanent Head[2].

[*Regulation 51C inserted in Gazette 29 August 1980 p. 3029; amended in Gazette 29 June 1984 p. 1784.*]

Assessment of drug addict for treatment purposes

51D. (1) Before an authorization is issued by the Permanent Head[2] for the treatment of a drug addict with methadone the drug addict in relation to whom the treatment is to be authorized, prescribed or used shall be assessed for such treatment by—

(a) a medical practitioner employed by the Alcohol and Drug Authority established under the *Alcohol and Drug Authority Act 1974*;

(b) a medical practitioner selected by the Authority referred to in paragraph (a) and approved of by the Permanent Head[2];

(c) a psychiatrist employed by the Health Department of Western Australia;

(d) a psychiatrist in the course of treating that drug addict at a psychiatric unit of a hospital that is approved of as a teaching hospital as defined in the *Hospitals Act 1927*; or

(e) a medical officer attached to a regional hospital established under the *Hospitals Act 1927* who is approved of by the Permanent Head[2].

(2) A person who makes an assessment for the purposes of subregulation (1) shall specify in the assessment—

(a) the maximum daily dose not to be exceeded in the treatment in relation to the drug addict with respect to whom the assessment is made; and

(b) the maximum period of the treatment,

and shall sign the assessment in his usual signature.

(3) Regulation 51C does not apply to or in relation to the carrying out of an assessment by a person referred to in subregulation (1) (a) or (b).

[*Regulation 51D inserted in Gazette 29 August 1980 p. 3029; amended in Gazettes 29 June 1984 p. 1784; 27 May 1988 p. 1771; 12 April 1991 p. 1609.*]

Conditions on treatment of drug addict

51E. (1) In an authorization given with respect to the treatment of a particular drug addict with methadone the Permanent Head[2] may specify that any one or more of the conditions and restrictions set out below apply, namely—

(a) that the prescription be issued by, or treatment administered by, a specified medical practitioner;

(b) that the type of methadone prescribed or administered be of the type specified;

(c) that the amount to be prescribed or used for treatment shall not exceed the amount specified;

(d) that the amount to be prescribed or used on any one day shall not exceed the amount specified;

(e) that the concentration to be prescribed or used shall not exceed the concentration specified;

(f) that the intervals between the issue of prescriptions or the administration of the treatment shall be such as are specified;

(g) that the prescription be supplied at the pharmacy or institution specified;

(h) that the amount dispensed on a single prescription form shall not exceed such amount as is specified;

(i) the amount that may be supplied on any one day shall not exceed such amount as is specified.

(2) Subject to subregulation (3) an authorization under subregulation (1) is valid for a period of 12 months from the date of its issue or such earlier date (if any) as is specified.

(3) The Permanent Head[2] may at any time revoke an authorization or if the period has not expired vary the period for which the authorization is valid.

(4) A medical practitioner shall not write, issue or authorize a prescription or document prescribing the use, sale or supply of methadone or supply methadone contrary to such conditions and restrictions as are specified.

(5) A pharmaceutical chemist shall not sell or supply methadone otherwise than in accordance with such conditions and restrictions as are specified.

(6) An authorization issued under these regulations prior to 1 October 1980 is valid until it is revoked by the Permanent Head[2] or until it expires whichever first occurs.

(7) In this regulation **"specified"** means by the Permanent Head[2] in an authorization issued by him under this regulation in relation to a drug addict.

[*Regulation 51E inserted in Gazette 29 August 1980 p. 3029; amended in Gazettes 29 June 1984 p. 1784; 12 April 1991 p. 1609.*]

Treatment not to exceed 30 days unless authorized by chief executive officer

51F. (1) A medical practitioner shall not write, issue or authorize a prescription or document or supply a drug of addiction for the treatment of a person, other than a drug addict, for a period in excess of 30 days unless he has first obtained written authorization to do so from the Permanent Head[2].

(2) Where a medical practitioner has written, issued or authorized a prescription or document prescribing the use, sale or supply of a drug of addiction, for the treatment of a person other than a drug addict, or supplied a drug of addiction for the treatment of a person, other than a drug addict, for a period of 30 days the medical practitioner shall not thereafter write, issue or authorize a prescription or document prescribing the use, sale or supply of a drug of addiction in relation to that person or supply a drug of addiction in relation to that person unless—

(a) the medical practitioner has first obtained written authorization under this regulation to do so from the Permanent Head[2]; or

(b) the Permanent Head[2] has issued an authorization under this regulation to do so in relation to that person and the authorization is current.

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

(4) In any authorization issued for the purposes of subregulation (1) or (2) given with respect to a particular person the Permanent Head[2] may specify that any one or more of the conditions and restrictions set out below apply, namely—

(a) that the prescription be issued by or the treatment be administered by a specified medical practitioner;

(b) that only a specified drug of addiction be prescribed or used for treatment;

(c) that the type of the drug of addiction specified be of the type specified;

(d) that the amount to be prescribed or used for treatment shall not exceed the amount specified;

(e) that the amount to be prescribed or used on any one day shall not exceed the amount specified;

(f) that the concentration to be prescribed shall not exceed the concentration specified;

(g) that the intervals between the issue of prescriptions or the administration of the drug of addiction shall be such as are specified;

(h) that the prescription be supplied at the pharmacy specified;

(i) that the amount dispensed on a single prescription not exceed such amount as is specified;

(j) that the amount that may be supplied on any one day shall not exceed such amount as is specified.

(5) An authorization issued for the purposes of subregulation (1) or (2) is valid for such period as is specified unless revoked by the Permanent Head[2] before the expiration of that period.

(6) A medical practitioner shall not write, issue or authorize a prescription or document prescribing the use, sale or supply of a drug of addiction or supply a drug of addiction otherwise than in accordance with such conditions and restrictions as are specified.

(7) A pharmaceutical chemist shall not sell or supply a drug of addiction otherwise than in accordance with such conditions and restrictions as are specified pursuant to this regulation.

(8) An authorization issued prior to 1 October 1980 is valid until revoked by the Permanent Head[2] or until it expires whichever first occurs.

(9) In this regulation **"specified"** means by the Permanent Head[2] in an authorization issued by him under this regulation in relation to a person other than a drug addict.

[*Regulation 51F inserted in Gazette 29 August 1980 pp. 3030-31; amended in Gazettes 23 September 1983 p. 3805; 29 June 1984 p. 1784; 8 February 1985 p. 520.*]

Medical practitioner not to supply certain drugs

51G. (1) Notwithstanding regulations 51B to 51F, a medical practitioner shall neither supply any of the following substances nor issue, write or authorize a prescription for any of the following substances—

(a) amphetamine;

(b) dexamphetamine;

(c) methylamphetamine;

(d) methylphenidate;

(e) phenmetrazine;

(f) the salts of any of those drugs of addiction; or

(g) a preparation or admixture containing any of those drugs of addiction or their salts,

unless subregulation (2) applies or he is authorized under subregulation (3) or, in the case of methylphenidate, subregulation (4).

(2) Subregulation (1) does not apply to the oral use of dexamphetamine or methylphenidate for therapeutic trials of up to 30 days when these are initiated by a paediatrician, paediatric neurologist, or paediatric psychiatrist.

(3) The chief executive officer of the department may authorize a medical practitioner to supply any substance referred to in subregulation (1) or to issue, write or authorize a prescription for any substance referred to in subregulation (1) for the treatment of a person suffering from—

(a) narcolepsy;

(b) brain damage; or

(c) in the case of a child, behavioural disorders.

(4) The chief executive officer of the department may authorize a medical practitioner to supply methylphenidate or to issue, write or authorize a prescription for methylphenidate for the continued treatment of a person who, before the coming into operation of this regulation, had been approved by the department to be treated with methylphenidate.

(5) The chief executive officer may revoke or amend an authority granted under subregulation (3) or (4).

[*Regulation 51G inserted in Gazette 12 April 1991 p. 1609; amended in Gazette 16 April 1992 p. 1635.*]

Dentists not to prescribe drugs of addiction

51H. (1) Dentist shall not write, issue or authorize a prescription or document for a drug of addiction other than—

(a) codeine;

(b) a preparation of codeine which does not contain any other drug of addiction; or

(c) pentazocine,

and the prescription or document shall not authorize treatment of a person for a period in excess of 5 days.

(2) A dentist may supply a patient with codeine and preparations of codeine not containing any other drug of addiction for a period of medication not exceeding 5 days.

[*Regulation 51H inserted in Gazette 8 February 1985 p. 520.*]

[***51J.*** *Repealed in Gazette 12 April 1991 p. 1609.*]

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 person to whom a prescription is submitted for dispensing shall satisfy himself—

(i) that the prescription is in accordance with the requirements of the Act; and

(ii) that the person who signed the prescription is a medical practitioner, a dentist or a veterinary surgeon duly registered within the State;

(b) the prescription shall not be dispensed more than the maximum number of times indicated thereon, or at intervals less than those indicated therein, and on each occasion at the time at which it is dispensed it shall be marked in ink, by writing in the hand of the dispensing pharmacist, to show clearly his usual signature, the date upon which it is dispensed, and marked or stamped with the name and address of the pharmacy at which it is dispensed;

(c) a prescription written by a veterinary surgeon shall be dispensed once only;

(d) a prescription shall be dispensed once only where the prescription directs the dispensing of 2 or more items as separate articles;

(e) subject to subregulation (7)—

(i) where a prescription is produced to him and the prescription prescribes no more than one occasion on which it is to be dispensed, the person dispensing the prescription shall retain the prescription in safe custody after having dispensed it;

(ii) where a prescription is produced to him and the prescription prescribes more than one occasion on which it is to be dispensed, the person dispensing the prescription shall, after having dispensed it as directed in the prescription, mark the prescription with the number of occasions remaining to be dispensed and return it to the person producing it but if there remain no more occasions on which it is to be dispensed shall, after having dispensed it as directed in the prescription, retain the prescription in safe custody;

(f) the person who dispenses a prescription which does not clearly indicate the maximum number of times such prescription is to be dispensed or the intervals at which it is to be repeated, 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";

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

(h) before the drug of addiction is handed to the purchaser, details of the transaction, including—

(i) prescription number;

(ii) name and address of patient;

(iii) drug description;

(iv) quantity of the drug;

(v) directions for use;

(vi) date of the prescription; and

(vii) the name and address of the person who wrote the prescription,

shall be recorded in the manner prescribed by regulation 52B;

[*(j) deleted*]

(k) the label on the bottle or package containing the drug of addiction shall be marked with the prescription number referred to in paragraph (h); and

[*(l) deleted*]

(m) the drug of addiction so dispensed shall conform in quantity, description, composition, strength, form and every other material particular to the directions of the prescriber,

and in respect of a prescription prescribing a drug of addiction issued under the *National Health Act 1953* or the *Repatriation Act 1920* of the Commonwealth a copy of such a prescription is deemed to be a prescription for the purposes of this regulation.

(4) A prescription marked "cancelled" or that is more than 6 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 unathorized person to obtain a drug of addiction, or which does not appear to be genuine, shall not be dispensed.

(6) A pharmaceutical chemist shall retain possession of any prescription prescribing a drug of addiction presented to him for dispensing and which he suspects of being false in any particular and hold the prescription for such reasonable period as will enable him to satisfy himself as to its genuineness and make enquiries concerning the *bona fides* of the person by whom it is presented or the identity of the individual by whom such prescription purports to have been written.

(6a) When a pharmaceutical chemist to whom a prescription is submitted for dispensing is satisfied that the prescription is not in accordance with the requirements of the Act or regulations, he shall cancel it and endorse upon its face in ink in his own handwriting the date and his usual signature, together with the address of the dispensary either stamped or written and forward it to the Permanent Head[2] and inform the Permanent Head[2] of the relevant circumstances and the reasons for his refusal to dispense the prescription.

(7) A pharmaceutical chemist shall forward to the Permanent Head[2] not later than 21 days after the last day of each month every form of prescription of a drug of addiction (whether original or copy thereof) retained at the pharmacy pursuant to this regulation during that month unless he is required to do otherwise by a law of the Parliament of the Commonwealth.

(8) A pharmaceutical chemist shall deliver up any document, prescription, authorization or record relating to the sale or supply of a drug of addiction upon request made by any inspector appointed under the *Health Act 1911* or to any other person authorized in that behalf by the Minister.

[*Regulation 52 amended in Gazettes 29 August 1980 p. 3031; 23 September 1983 pp. 3805-6; 29 June 1984 p. 1784; 31 January 1986 pp. 332-33; 7 August 1987 p. 3038.*]

Movement of drugs of addiction in other circumstances

52A. Any movement of stocks of drugs of addiction other than by prescription and other than supplies received from wholesalers shall be recorded in the manner prescribed by regulation 52B.

[*Regulation 52A inserted in Gazette 31 January 1986 p. 333; amended in Gazette 7 August 1987 p. 3083.*]

Manner of recording details

52B. (1) The details required to be recorded under regulations 52 (3) (h) and 52A shall be—

(a) entered on a duplicate form approved by the Permanent Head[2]; or

(b) entered in a computerised recording system approved by the Permanent Head[2].

(2) Where the details of a transaction referred to in regulation 52 (3) (h) are entered—

(a) on an approved duplicate form, the details shall be entered and signed and dated by the person who actually dispensed the drug;

(b) in an approved computerised recording system, the details shall be accompanied by the name of the person who actually dispensed the drug and the date of the transaction.

[*Regulation 52B inserted in Gazette 7 August 1987 p. 3083.*]

Returns to department

52C. (1) Every owner of a pharmacy which dispenses drugs of addiction shall return the original of the completed approved duplicate form or the original of the completed printout of the approved computerised recording system referred to in regulation 52B to the department monthly, by the 7th day of the following month, and where there have been no transactions in the month, the form or printout shall be returned showing the name and address of the pharmacy and marked "NIL".

(2) Every computer printout returned shall bear the signature of a pharmaceutical chemist certifying the accuracy and completeness of the data recorded.

[*Regulation 52C inserted in Gazette 7 August 1987 p. 3083.*]

Dispensing drugs of addiction in case of emergency

53. (1) Where a medical practitioner, dentist 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 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 dispatch such prescription within 24 hours to the person by whom the drug of addiction was dispensed.

(2) A person by whom a drug of addiction was dispensed in accordance with subregulation (1), shall where the prescription is not received by him within 72 hours, immediately report the circumstances to the Permanent Head[2].

[*Regulation 53 amended in Gazettes 23 September 1983 p. 3806; 27 May 1988 p. 1771.*]

Dispensing certain drugs of addiction

53A. (1) A person shall not dispense a prescription for or supply upon a prescription any of the following drugs of addiction, namely,

Dextromoramide
Hydromorphone
Methadone
Morphine
Pethidine

or the salts of any of those substances and any preparation or admixture containing any of those substances, or the salts of any of those substances, unless—

(a) he is familiar with the prescriber's handwriting; or

(b) he has verified with the purported prescriber that the prescription was written by him.

(2) Where a person cannot comply with subregulation (1), for good cause, he may dispense the prescription for, or supply upon the prescription, a quantity of the drug of addiction sufficient to enable treatment at the rate prescribed for no more than 2 days.

[*Regulation 53A inserted in Gazette 23 September 1983 p. 3806.*]

Delivery of drugs of addiction on order

54. (1) Subject to regulation 53 and to subregulation (3) a drug of addiction shall not be delivered to a person except—

(a) on the authority of a written order—

(i) legibly written in ink;

(ii) bearing on the face thereof—

(I) the date when it is written;

(II) the name and address of the person requiring it to be supplied;

(III) the quantity and description of the drug of dependence to be supplied; and

(iii) signed by a person licensed or otherwise authorized to procure or be in possession of the drug of addiction; or

(b) on the authority of an order placed by telephone or telex, but such an order shall be confirmed by the person requiring the drugs to be supplied, by the signing and dating of the dispatch note or invoice delivered with the goods and the dispatch note or invoice shall be returned to the supplier within 7 days of the delivery or the supplier shall notify the Permanent Head[2] of the default.

(2) A drug of addiction shall not be delivered to any person not licensed, or otherwise authorized to be in possession of the drug of addiction, who purports to be sent by or on behalf of the person so licensed or authorized, unless the firstmentioned person produced an authority in writing signed by the person so licensed or authorized 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.

[*Regulation 54 amended in Gazettes 23 September 1983 p. 3807; 2 June 1989 p. 1605.*]

Packaging of drugs of addiction

54A. A person forwarding for delivery a drug of addiction shall enclose the drug separately from goods of any other kind in a secure and sturdy package without exterior writing which might indicate the contents of the package and clearly address the package to the authorized person.

[*Regulation 54A inserted in Gazette 23 September 1983 p. 3807.*]

Common carrier protected

55. A common carrier or his employee is hereby authorized 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 regulations 56A and 56B, any person licensed or authorized to have a drug of addiction in his possession shall store such drug of addiction in a poisons cupboard, and such person shall ensure the safekeeping of the key to the poisons cupboard and shall also keep the poisons cupboard locked at all times except when drugs of addiction are being placed into or removed from it.

(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, dentist or veterinary surgeon; or

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

[*Regulation 56 amended in Gazettes 7 September 1971 p. 3278; 23 September 1983 p. 3807; 27 May 1988 p. 1771; 12 April 1991 p. 1609.*]

Storage of drugs of addiction by pharmacist

56A. (1) Subject to regulation 56AA, where a pharmacist is in possession of drugs of addiction 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 accommodation approved by the Permanent Head[2] for this purpose.

(2) The safe required by subregulation (1) 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 9.5 millimetres thick;

(b) constructed with continuous welding of all edges; and fitted with a solid mild steel bar of not less than 8 millimetres at its smallest diameter, situated not more than 100 millimetres 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 9.5 millimetres thick, the door being flush fitting with a clearance around the door of not more than 1.5 millimetres;

(d) fitted with 2 or more fixed locking bars welded to the inside face of the door near the hinge edge at not greater distances than 300 millimetres apart from centre of locking bar to centre of locking bar; one fixed locking bar to be not further than 150 millimetres from the top of the safe door, and one fixed locking bar to be not further than 150 millimetres 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 5 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 610 millimetres but does not exceed 915 millimetres a second 5 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 9.5 millimetres 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 9.5 millimetres 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 9.5 millimetres 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) 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 5 lever keylock or other locking mechanism providing at least equal security, or alternatively a keyless combination lock.

(3a) Where a safe, other than a safe built or placed under the floor, is installed after the coming into operation of this subregulation the premises in which the safe is installed shall also be fitted with such other perimeter or internal security devices as may be required by the chief executive officer of the department.

(4) A pharmacist shall keep in his immediate and personal possession any key to a safe referred to in subregulation (1) and the safe shall be kept locked except—

(a) when the lock is a keyless combination lock which is in place and in view of the pharmacist during hours of business; or

(b) when items are being placed into or removed from the safe.

[*Regulation 56A inserted in Gazette 7 September 1971 p. 3278; amended in Gazettes 3 May 1974 pp. 1434-35; 15 April 1976 p. 1183; 29 June 1984 p. 1784; 7 August 1987 p. 3083; 27 May 1988 p. 1771; 2 June 1989 p. 1605.*]

Responsibilities of pharmacist for security of drugs of addiction

56AA. (1) Where a pharmacist is in possession of drugs of addiction for the purposes of his profession or employment, and is present on the pharmacy premises, those drugs of addiction shall be stored—

(a) in accordance with regulation 56A;

(b) in a poisons cupboard; or

(c) in a lockable drawer.

(2) A pharmacist shall—

(a) keep in his immediate and personal possession any key to a poisons cupboard or lockable drawer referred to in subregulation (1); and

(b) ensure that the poisons cupboard or lockable drawer is kept locked, except when drugs of addiction are being placed into or removed from the poisons cupboard or lockable drawer.

[*Regulation 56AA inserted in Gazette 25 August 1989 p. 2842.*]

Storage of drugs of addiction

56B. Drugs of addiction—

(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 Permanent Head[2] and the key shall be kept in the possession of the pharmacist-in-charge and not left on the premises where the drugs of addiction 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 Permanent Head[2] 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 drugs of addiction;

(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 Permanent Head[2] and the key shall be in the possession of the person so licensed or in the possession of some other person authorized by the Permanent Head[2].

[*Regulation 56B inserted in Gazette 7 September 1971 p. 3279; amended in Gazettes 29 June 1984 p. 1784; 25 August 1989 p. 2842.*]

Storage facilities for drugs of addiction not to bear word "poison"

56C. The exterior surface of the poisons cupboard, lockable drawer or safe in which a drug of addiction is stored shall not bear the word "poison".

[*Regulation 56C inserted in Gazette 28 February 1986 p. 618; 25 August 1989 p. 2842.*]

Storage facilities for drugs of addiction not to be used for any other purpose

56D. The poisons cupboard, lockable drawer or safe in which drugs of addiction are kept in accordance with regulations 56, 56A, 56AA of 56B shall not be used for any purpose other than the storage of poison, except that cash may be stored in a floor safe and cash and valuables may be stored in a safe which makes provision for the drugs of addiction to be kept separately locked.

[*Regulation 56D inserted in Gazette 1 August 1986 p. 2739; amended in Gazettes 27 May 1988 p. 1771; 25 August 1989 p. 2842.*]

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, dentist or veterinary surgeon shall not knowingly give a prescription for a drug of addiction merely for purposes of addiction.

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

[*Regulation 58 amended in Gazettes 23 September 1983 p. 3807; 20 March 1987 p. 954.*]

Names of persons from whom licence or authority withdrawn to be published

59. A decision of the Permanent Head[2] cancelling, suspending or revoking an authorization, licence or permit conferred or issued under the Act or these regulations or any other decision of the Permanent Head[2] may be published in the *Government Gazette*.

[*Regulation 59 inserted in Gazette 29 August 1980 p. 3031; amended in Gazette 29 June 1984 p. 1784.*]

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 12 in Appendix A.

(2) A copy of the notice shall be served on the Permanent Head[2] within 7 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 14 clear days from the service of the notice.

[*Regulation 60 amended in Gazette 29 June 1984 p. 1784.*]

Parties to appeal failing to attend

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 Permanent Head[2] fails to appear, hear the appeal or adjourn it to some other date.

[*Regulation 61 amended in Gazette 29 June 1984 p. 1784.*]

Costs of appeal

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.

Rules of evidence to apply at appeal

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

Form 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 authorizes that person 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 30 June 19 .....

.....

*Strike out whichever is not applicable.

Form 1A

Poisons Act 1964

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

To the chief executive officer of the department,
Health Department of Western Australia,
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 regulation (or)

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

Date ....
Signature of Applicant.

Fee $ ..... with application

*Strike out whichever is not applicable.

Form 2

Poisons Act 1964

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

This licence is granted to ..... and authorizes that person 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.

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 30 June 19 .....

.....

Form 2A

Poisons Act 1964

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

To the chief executive officer of the department,
Health Department of Western Australia,
Perth.

I, Mr / Mrs / Miss ..... (Full Name) hereby apply for a licence to procure, manufacture and supply by wholesale dealing on behalf of ..... 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.

Fee $ ..... with application

Form 3

Poisons Act 1964

PHARMACEUTICAL CHEMIST'S LICENCE TO SELL POISONS

This licence is granted to .....

and authorizes that person to sell poisons at premises situated at .....

.....

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

Valid until 30 June 19 .....

.....

Form 3A

Poisons Act 1964

APPLICATION FOR PHARMACEUTICAL CHEMIST'S LICENCE TO SELL POISONS

To the chief executive officer of the department,
Health Department of Western Australia,
Perth

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

a pharmaceutical chemist registered to practise 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 30 June 19 .....

Date .....

.....
Signature of Applicant.

Fee $ ..... with application

Form 4

Poisons Act 1964

LICENCES TO SELL BY RETAIL POISONS SPECIFIED IN THE 6TH SCHEDULE

This licence is granted to .....
and authorizes that person 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 30 June 19 .....

.....

Form 4A

Poisons Act 1964

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

To the Executive Director, Public Health and Scientific Support Services,
Health Department of Western Australia,
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 16 years of age.
(d) The poisons will not be sold to anyone who is apparently under 16 years of age.

Date .....

.....
Signature of Applicant.

Fee $ ..... with application

Form 5

Poisons Act 1964

LICENCE TO SELL BY RETAIL POISONS SPECIFIED IN THE 2ND OR 6TH SCHEDULES

This licence is granted to .....
and authorizes that person to procure, and to sell by retail, on behalf of .....
..... the poisons specified in the 2nd or 6th Schedules to the *Poisons Act 1964*, at premises situated at .....
.....

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

Valid until 30 June 19 .....

.....

Form 5A

Poisons Act 1964

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

To the chief executive officer of the department,
Health Department of Western Australia,
Perth.

I, Mr. / Mrs / Miss ..... (Full Name)
hereby apply for a licence to sell, by retail, on behalf of .....
..... the poisons specified in the 2nd or 6th Schedules of 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 8 kilometres from the nearest place at which a pharmaceutical chemist conducts a pharmacy.
(c) The poisons will not be sold by an assistant under 16 years of age.
(d) The poisons will not be sold to anyone who is apparently under 16 years of age.

Date .....

.....
Signature of Applicant.

Fee $ ..... with application

Form 6

Poisons Act 1964

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

This licence is granted to .....

and authorizes that person to procure, and 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 30 June 19 .....

.....

Form 6A

Poisons Act 1964

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

To the chief executive officer of the department,
Health Department of Western Australia,
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 16 years of age.
(d) The poisons will not be sold to anyone who is apparently under 16 years of age.

Date ....
Signature of Applicant.

Fee $ ..... with application

Form 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 Second, Third or Fourth Schedules to the *Poisons Act 1964*; and authorizes that person to procure samples of such drugs, other than drugs declared to be specified drugs for the purposes of that Act, from .....
.....
(Name of manufacturers or wholesalers)
and supply them to persons authorized by regulation 8A of the *Poisons Regulations 1965* (as amended) to receive them.

Dated at Perth ..... 19 .....
Valid until 30 June 19 .....

.....

Form 6C

Poisons Act 1964

APPLICATION FOR POISONS PERMIT (DISTRIBUTION OF SAMPLES)

To the chief executive officer of the department,
Health Department of Western Australia,
Perth.

I, ... of . . . . . being a representative of

. . . . . , licensed manufacturer of, or wholesale dealer in, drugs containing poisons specified in the 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 authorized to receive them, samples containing drugs, other than drugs declared to be specified drugs for the purposes of the Act, specified in the Second, Third or Fourth Schedules to the *Poisons Act 1964.*

Date . . . . . ., 19. . . . . .

. . . . . .
Signature of Applicant.

Fee $ . . . . . with application

Form 7

Poisons Act 1964

POISONS PERMIT (INDUSTRIAL)

This permit is granted to ..... and

authorizes that person 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 30 June 19 .....

.....

Form 7A

Poisons Act 1964

APPLICATION FOR POISONS PERMIT (INDUSTRIAL)

To the chief executive officer of the department,
Health Department of Western Australia,
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 ....., 19.....

.....
Signature of Applicant.

Fee $ ..... with application

*Strike out whichever does not apply.

Form 8

Poisons Act 1964

POISONS PERMIT (EDUCATIONAL, ADVISORY OR RESEARCH)

This permit is granted to ..... and

authorizes that person 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 30 June 19 .....

.....
Chief executive officer of the department.

Form 8A

Poisons Act 1964

APPLICATION FOR POISONS PERMIT (EDUCATIONAL, ADVISORY OR RESEARCH)

To the chief executive officer of the department,
Health Department of Western Australia,
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.

[***Forms 9, 9A** deleted in Gazette 27 May 1988 p. 1771.*]

Form 10

Poisons Act 1964

APPLICATION FOR CLASSIFICATION OF A NEW DRUG

To the chief executive officer of the department,
Health Department of Western Australia,
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;

Form 10—*continued*

(g) any tendency towards accumulation in the body;
(h) any special incompatibility;
(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.
12. Full details of proposed labelling and packaging.
13. Evidence of approval or rejection by any other statutory body or authority.
14. Complete bibliography of any publications relating to pharmacological and therapeutic actions, including clinical trials.

Date . . . . . .

. . . . . .
Signature of Applicant.

[***Forms 11, 11A** deleted in Gazette 2 October 1987 p. 3776.*]

Form 11AA

Poisons Act 1964

STOCKFEED MANUFACTURER'S PERMIT

This permit is granted to . . . . . and authorizes that person to sell by retail on behalf of . . . . to any person producing the written order of a veterinary surgeon such mixture containing the following Fourth Schedule drugs as may be specified in the order, and within the limits as to quantity and composition set out in the order.

Fourth Schedule drugs to which this permit applies—

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

This permit is issued subject to the following conditions—

(1) the mixture will be stored at and sold from premises situated at . . . . . ;
(2) . . . . . .

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

Valid until 30 June 19 . . . . . .

. . . . . .

Form 11AB

Poisons Act 1964

APPLICATION FOR STOCKFEED MANUFACTURER'S PERMIT

To the chief executive officer of the department,
Health Department of Western Australia,
Perth.

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

hereby apply on behalf of ..... for a permit to sell by retail upon the written order of a veterinary surgeon mixtures of stockfeed containing the following Fourth Schedule drugs—

.....

.....

.....

In support of this application I declare that—

(1) the mixture will be stored at and sold from premises situated at .....

..... ;

(2) .....

.....

.....

Date ....., 19.....

.....
Signature of Applicant.

Fee $ ..... with application

Form 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 29 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 chief executive officer of the department

And to .....

(a) State whether refusal, cancellation, order, etc.

(b) Set out particulars of the decision from which you are appealing.

Form 13

Poisons Act 1964

POISONS PERMIT (DEPARTMENTAL AND HOSPITAL)

This permit is granted to ..... and authorizes that person 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 30 June 19 .....

.....
Chief executive officer of the department.

Form 13A

Poisons Act 1964

APPLICATION FOR POISONS PERMIT (DEPARTMENTAL AND HOSPITAL)

To the chief executive officer of the department,
Health Department of Western Australia,
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 A amended in Gazettes 14 June 1967 pp. 1582-83; 22 September 1969 p. 2876; 3 May 1974 p. 1435; 5 October 1979 pp. 3085-86; 7 June 1985 p. 1941; 23 May 1986 p. 1716; 15 May 1987 p. 2121; 2 October 1987 p. 3776; 27 May 1988 p. 1771; 2 June 1989 p. 1605; 17 August 1990 p. 4081; 12 April 1991 p. 1609; 14 June 1991 p. 2879; 16 April 1992 p. 1635.*]

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					

[***Appendices C, D, E** repealed in Gazette 11 November 1988 p. 4444.*]

[***Appendix F** repealed in Gazette 1 August 1986 p. 2739.*]

APPENDIX G

Form No.		Annual Fee $
1.	Licence to procure, manufacture and supply poisons (other than drugs of addiction) by wholesale dealing	135
2.	Licence to procure, manufacture and supply by wholesale dealing drugs of addiction	177
3.	Pharmaceutical chemist's licence to sell poisons	68
4.	Licence to sell by retail, poisons specified in the Sixth Schedule to the *Poisons Act 1964*	47
5.	Licence to sell by retail, poisons specified in the Second or Sixth Schedule to the *Poisons Act 1964*	47
6.	Licence to sell by retail, poisons specified in the Seventh Schedule to the *Poisons Act 1964*	68
6B.	Poisons permit (Distribution of samples)	68
7.	Poisons permit (Industrial)	47
8.	Poisons permit (Educational, advisory or research)	No fee
10.	Classification of a new drug	No fee
11AA.	Stockfeed manufacturer's permit	47
13.	Poisons permit (Departmental and hospitals)	No fee

The Fee for renewal is the same as for the original.

[*Appendix G inserted in Gazette 26 June 1992 p. 2700.*]

APPENDIX H

FOURTH SCHEDULE DRUGS REFERRED TO IN REGULATION 39 (1)

Except where otherwise stated, a substance in this Appendix does not include any derivative but does include any compound, preparation or admixture included in relation to that substance in the Fourth Schedule to the Act. Where a method of application or of administration is stated in relation to a substance, the entry in this Appendix in relation to that substance applies only to compounds, preparation or admixtures of that substance which have been prepared for that method of application or administration—

Acepromazine Maleate.
Antihistamines.
Apomorphine.
Benzyl penicillin for parenteral injection.
Chlorpromazine (but not to be supplied for use on horses).
Procaine penicillin for parenteral injection.
Streptomycin.

[*Appendix H inserted in Gazette 8 February 1985 p. 520; erratum 19 April 1985 p. 1409.*]

[***Appendix I** Repealed in Gazette 23 May 1986 p. 1720.*]

APPENDIX J

(reg. 35A)

THIRD SCHEDULE POISON SALES TO BE RECORDED

HYDROCORTISONE, when included in the Third Schedule;
HYDROCORTISONE ACETATE, when included in the Third Schedule.
LOPERAMIDE, when included in the Third Schedule.
NICOTINE, when included in the Third Schedule.

[*Appendix J inserted in Gazette 20 September 1985 p. 3743; amended in Gazettes 23 May 1986 p. 1721; 23 January 1987 p. 187; 7 August 1987 p. 3084; 27 May 1988 p. 1771; 9 December 1988 p. 4825; 30 November 1990 p. 5908; 26 July 1991 p. 3855; 13 December 1991 p. 6191.*]

APPENDIX K

(reg. 21A)

Poisons required to be labelled with a warning statement relating to driving a motor vehicle and operating machinery—

AMITRIPTYLINE
AMYLOBARBITONE
AZATADINE
BACLOFEN
BARBITURIC ACID and its derivatives.
BENZTROPINE
BROMAZEPAM
BROMPHENIRAMINE
BUCLIZINE
BUPRENORPHINE
BUTOBARBITONE
CHLORAL HYDRATE when included in the 3rd or 4th Schedule.
CHLORDIAZEPOXIDE
CHLORPHENIRAMINE
CHLORPROMAZINE
CLEMASTINE
CLOMIPRAMINE
CLONAZEPAM
CLONIDINE
CLORAZEPATE
CODEINE except when included in the 2nd or 3rd Schedules.
CYCLIZINE
CYCLOSERINE
CYPROHEPTADINE
DANTROLENE
DESIPRAMINE
DEXCHLORPHENIRAMINE
DEXTROMORAMIDE
DIAZEPAM
DIFENOXIN
DIHYDROCODINE except when included in the 3rd Schedule.
DIMENHYDRINATE
DIMETHINDENE
DIPHENHYDRAMINE
DIPHENOXYLATE
DIPHENYLPYRALINE
DOTHIEPIN
DOXEPIN

DOXYLAMINE
DROPERIDOL
ETHYLMORPHINE except when included in the 2nd Schedule.
FENFLURAMINE
FLUNITRAZEPAM
FLUPHENAZINE
FLURAZEPAM
GLUTETHIMIDE
HALOPERIDOL
HYDROCODONE
HYDROMORPHONE
HYDROXYZINE
IMIPRAMINE
LORAZEPAM
MAZINDOL
MEBHYDROLIN
MECLOZINE
MEDAZEPAM
MEPROBAMATE
MEPYRAMINE
METHADONE
METHDILAZINE
MORPHINE its salts and derivatives.
NALBUPHINE
NITRAZEPAM
NORMETHADONE
NORTRIPTYLINE
OPIUM in any form except the alkaloids noscapine and papaverine.
OXAZEPAM
OXYCODONE
PENTAZOCINE
PENTOBARBITONE
PERICYAZINE
PERPHENAZINE
PETHIDINE its salts and derivatives
PHENELZINE
PHENIRAMINE
PHENOPERIDINE
PHENYLTOLOXAMINE
PHOLCODINE
PIMOZIDE
PIZOTIFEN
PRAZEPAM
PROCHLORPERAZINE
PROMAZINE
PROMETHAZINE
PROTRIPTYLINE

QUINALBARBITONE
SECBUTOBARBITONE
TEMAZEPAM
THENYLDIAMINE
THIETHYLPERAZINE
THIOPROPAZATE
THIORIDAZINE
THIOTHIXENE
TRANYLCYPROMINE
TRIFLUOPERAZINE
TRIMEPRAZINE
TRIMIPRAMINE
TRIPROLIDINE

[*Appendix K inserted in Gazette 18 March 1988 pp. 851-52; amended in Gazette 2 June 1989 p. 1605.*]

APPENDIX L

(Regulations 37 and 51)

SPECIFIED CRITERIA FOR THE GENERATION OF PRESCRIPTIONS BY COMPUTER

1. The computer system shall be designed so that—
   (a) the prescription can be generated by the prescriber only;
   (b) the prescription is printed on a form which is pre-printed with the name and address and contact telephone number of the prescriber OR which is pre-printed with at least the address and contact telephone number of the practice and the system individually prints the name of the prescriber at the foot of the prescription when the prescription is being generated;
   (c) either a statement is printed on each prescription form indicating the total number of items prescribed on that form, or the area on the prescription form below the prescriber's signature is scored, hatched or otherwise marked to prevent any other item being printed in that area;
   (d) the directions for use must be determined and included on each occasion by the prescriber;
   (e) the particulars of any prescription issued are included in the clinical or prescription record of the person or animal for whom the prescription was generated;
   (f) a number which uniquely identifies each prescription form is printed on the form which is related to the clinical or prescription record of the person or animal for whom that prescription was generated;
   (g) the clinical or prescription record of the person or animal for whom the prescription was issued is preserved for at least one year from the date on which the prescription was generated and can be accessed when required.

2. For Eighth Schedule prescriptions, the words, "The prescriber must write these prescription details in his or her own handwriting" shall be printed by the system immediately below the computer-printed details, and the system shall allow space on the prescription for these handwritten details.

[*Appendix L inserted in Gazette 26 July 1991 p. 3855.*]

NOTES

[1.] This reprint is a compilation as at 7 January 1993 of the *Poisons Regulations 1965* and includes all amendments in the reprint published in the *Gazette* on 5 August 1987 and all amendments effected by the other regulations referred to in the following Table.

Table of Regulations

Regulations	Gazettal	Commencement	Miscellaneous
Poisons Act Regulations 1965	29 June 1965 pp. 1883-1914	1 July 1965	
(Regulations effecting amendments included in the previous reprint are not referred to in this Table)			
Poisons Amendment Regulations (No. 4) 1987	7 August 1987 pp. 3085-84	7 August 1987	
Poisons Amendment Regulations (No. 5) 1987	18 September 1987 p. 3596	18 September 1987	
Poisons Amendment Regulations (No. 6) 1987	2 October 1987 p. 3776	2 November 1987 (see regulation 2)	
Poisons Amendment Regulations (No. 2) 1988	18 March 1988 p. 837	18 March 1988	
Poisons Amendment Regulations 1988	18 March 1988 pp. 838-52	18 March 1988	
Poisons Amendment Regulations (No. 3) 1988	27 May 1988 pp. 1769-71	27 May 1988	
Poisons Amendment Regulations (No. 4) 1988	11 November 1988 pp. 4443-44	11 November 1988	
Poisons Amendment Regulations (No. 5) 1988	9 December 1988 p. 4825	9 December 1988	
Poisons Amendment Regulations 1989	2 June 1989 pp. 1603-05	2 June 1989	
Poisons Amendment Regulations (No. 2) 1989	16 June 1989 p. 1742	1 July 1989 (see regulation 3)	

Table of Regulations—*continued*

Regulations	Gazettal	Commencement	Miscellaneous
Poisons Amendment Regulations (No. 3) 1989	25 August 1989 p. 2842	25 August 1989	
Poisons Amendment Regulations (No. 4) 1989	25 August 1989 p. 2842	25 August 1989	
Poisons Amendment Regulations (No. 3) 1989	6 October 1989 p. 3738	6 October 1989	
Poisons Amendment Regulations 1990	8 June 1990 pp. 2626-27	8 June 1990	
Poisons Amendment Regulations (No. 2) 1990	22 June 1990 p. 3035	22 June 1990	
Poisons Amendment Regulations (No. 3) 1990	17 August 1990 pp. 4080-81	17 August 1990	
Poisons Amendment Regulations (No. 5) 1990	30 November 1990 p. 5908	30 November 1990	
Poisons Amendment Regulations (No. 4) 1990	23 November 1990 pp. 5790-92	1 January 1990 (see regulation 2)	
Poisons Amendment Regulations 1991	12 April 1991 pp. 1608-09	12 April 1991	
Poisons Amendment Regulations (No. 2) 1991	14 June 1991 p. 2879	14 June 1991	
Poisons Amendment Regulations (No. 4) 1991	28 June 1991 p. 3149	1 July 1991 (see regulation 2)	
Poisons Amendment Regulations (No. 3) 1991	26 July 1991 pp. 3854-55	26 July 1991	
Poisons Amendment Regulations (No. 5) 1991	13 December 1991 pp. 6190-91	13 December 1991	
Poisons Amendment Regulations 1992	16 April 1992 pp. 1634-5	16 April 1992	
Poisons Amendment Regulations (No. 2) 1992	26 June 1992 p. 2700	1 August 1992 (see regulation 2)	
Poisons Amendment Regulations (No. 3) 1992	7 August 1992 pp. 3868-9	7 August 1992	
Poisons Amendment Regulations (No. 4) 1992	7 August 1992 pp. 3864-6	7 August 1992	

2. By operation of section 31 (1) (f) of the *Acts Amendment (Public Service) Act 1987* this is now a reference to the chief executive officer of the department assisting the Minister administering the *Poisons Act 1964*.

3. Ceased to be in force upon the commencement of the *Acts Amendment (Occupational Health, Safety and Welfare) Act 1987* on 16 September 1988.

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