

HE301*

Poisons Act 1964

Poisons Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Poisons Amendment Regulations (No. 2) 2012*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Poisons Regulations 1965*.

4. Regulation 41D replaced

Delete regulation 41D and insert:

41D. Certain medicines for schools and child care services, application of Act to

- (1) In this regulation —
auto-injector means a device containing a single pre-measured dose of a poison, with a mechanism for administering the dose by injection;
child care service has the meaning given in the *Child Care Services Act 2007*;

inhaler means a device containing a poison, with a mechanism for administering a metered dose of the poison by inhalation;

school means —

- (a) a school within the meaning of the *School Education Act 1999* section 4; and
 - (b) a community kindergarten registered under Part 5 of that Act.
- (2) Sections 23(1), 31, 32(c) and (d), 34, 46 and 47 of the Act, and regulations 33 and 35A do not apply in relation to a medicine listed in an item in the Table which is supplied or sold —
- (a) in the course of activity conducted by a school or child care service; and
 - (b) as emergency treatment for a condition listed in that item; and
 - (c) by the method listed in that item.

Table

Item	Medicine	Condition	Method
1.	Adrenaline	Anaphylaxis	Administering by auto-injector
2.	Salbutamol	Acute asthma	Administering by inhaler

- (3) Section 50 of the Act, and regulations 16, 19, 19AA and 19A do not apply in relation to a medicine listed in an item in the Table if the medicine —
- (a) is kept for the purpose of being supplied or sold in the course of activity conducted by a school or child care service as emergency treatment for a condition listed in that item; and
 - (b) is in a container listed in that item.

Table

Item	Medicine	Condition	Container
1.	Adrenaline	Anaphylaxis	Auto-injector
2.	Salbutamol	Acute asthma	Inhaler

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.