

1 Short title

This regulation may be cited as the *Health (Drugs and Poisons) Amendment Regulation (No. 1) 2009*.

2 Commencement

Section 5 commences on 31 March 2010.

3 Regulation amended

This regulation amends the *Health (Drugs and Poisons) Regulation 1996*.

4 Amendment of s 277 (Sale of S3 poisons)

Section 277(8)—
omit.

5 Amendment of s 285A (Record of sale of S3 pseudoephedrine)

(1) Section 285A(1), after ‘record’—

insert—

‘(a *pseudoephedrine sales record*)’

(2) Section 285A(1)(d), from ‘a document’ to ‘given.’—

omit, insert—

‘an acceptable form of identification—

(i) the type of document given; and

(ii) the unique number assigned to the document by the entity that issued the document.’.

(3) Section 285A(2)—

omit, insert—

‘(2) The pseudoephedrine sales record must be kept as an electronic record that is accessible on-line by both the chief executive and the commissioner of police.’.

- (4) Section 285A(3), before ‘record’—
insert—
‘pseudoephedrine sales’.

6 Omission of ch 5, pt 1A (Optometrists Drug Authority Committee)

Chapter 5, part 1A—
omit.

7 Insertion of new ch 5, pt 2, div 4

Chapter 5, part 2—
insert—

‘Division 4 Transitional provisions for Health (Drugs and Poisons) Amendment Regulation (No. 1) 2009

‘314 Definitions for div 4

‘In this division—

commencement means commencement of this section.

committee means the Optometrists Drug Authority Committee established under the pre-amended regulation, section 308A.

pre-amended regulation means this regulation as in force immediately before the commencement.

‘315 Dissolution of committee

‘(1) On the commencement—

- (a) the committee is dissolved; and
- (b) the members of the committee go out of office.

‘(2) No compensation is payable to a member because of subsection (1).’.

[s 8]

8 Amendment of appendix 9 (Dictionary)

(1) Appendix 9, definitions *appointed member*, *drug authority committee* and *ocular therapeutics protocol*—
omit.

(2) Appendix 9—

insert—

‘acceptable form of identification, for a purchaser, means a document that—

(a) is issued to the purchaser by—

(i) the Commonwealth or a State; or

(ii) an entity of the Commonwealth or a State; and

(b) shows a photograph of the purchaser.

ocular therapeutics protocol means a document certified by the chief executive and published by the department stating—

(a) the circumstances in which, and conditions under which, an optometrist may administer, supply or prescribe a restricted drug; and

(b) the qualifications that an optometrist must attain before doing a thing mentioned in paragraph (a).’

ENDNOTES

1 Made by the Governor in Council on 9 December 2009.

2 Notified in the gazette on 11 December 2009.

3 Laid before the Legislative Assembly on . . .

4 The administering agency is the Department of Health.

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