



Queensland

# Public Health (Medicinal Cannabis) and Other Legislation Amendment Regulation 2018

## Subordinate Legislation 2018 No. 133

made under the

*Health Act 1937*

*Public Health (Medicinal Cannabis) Act 2016*

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[s 1]

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Public Health (Medicinal Cannabis) and Other Legislation Amendment Regulation 2018*.

## **Part 2 Amendment of Health (Drugs and Poisons) Regulation 1996**

### **2 Regulation amended**

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

### **3 Amendment of s 78A (Approved drug—nabiximols)**

(1) Section 78A(1)(b)—

*omit.*

(2) Section 78A(1)(c)(i), ‘prescribed’—

*omit, insert—*

compliant

(3) Section 78A(1)(c)—

*renumber* as section 78A(1)(b).

(4) Section 78A(2), from ‘practitioner,’—

*omit, insert—*

practitioner includes a registrar working under the direction of a specialist medical practitioner.

(5) Section 78A(3)—

*insert—*

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*chronic non-cancer pain* means pain, persisting more than 3 months, that is not associated with cancer.

(6) Section 78A(3), definition *prescribed patient*—  
*insert*—

(e) a person experiencing chronic non-cancer pain.

(7) Section 78A(3), definition *prescribed specialist medical practitioner*—  
*omit*.

**4 Amendment of s 78B (Exemptions for some acts involving regulated controlled drugs)**

Section 78B(2) to (4)—  
*omit*.

**Part 3 Amendment of Public Health (Medicinal Cannabis) Regulation 2017**

**5 Regulation amended**

This part amends the *Public Health (Medicinal Cannabis) Regulation 2017*.

**6 Amendment of s 27 (Form of wholesaling approval)**

Section 27(a), ‘and professional qualifications’—  
*omit*.

[s 7]

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**7 Amendment of s 54 (Prescribed specialist medical practitioners—Act, s 52(1)(a))**

Section 54(1)—

*omit, insert—*

- (1) For section 52(1)(a) of the Act, all compliant specialist medical practitioners are prescribed.

**8 Amendment of s 55 (Prescribed classes of patients—Act, s 52(2)(a))**

- (1) Section 55(1)—

*insert—*

- (e) persons experiencing chronic non-cancer pain.

- (2) Section 55(2)—

*insert—*

***chronic non-cancer pain*** means pain, persisting more than 3 months, that is not associated with cancer.

**9 Amendment of s 89 (Dealing with prescriptions)**

Section 89(4), ‘72 hours’—

*omit, insert—*

7 days

**10 Amendment of s 127 (Patient-class prescribers)**

Section 127(2)—

*omit, insert—*

- (2) If the chief executive requests that a patient-class prescriber provide a treatment report for an eligible patient the patient-class prescriber is treating with medicinal cannabis, the patient-class

prescriber must provide the report to the chief executive within the time stated in the request.

Maximum penalty—20 penalty units.

Endnotes

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ENDNOTES

- 1 Made by the Governor in Council on 30 August 2018.
- 2 Notified on the Queensland legislation website on 31 August 2018.
- 3 The administering agency is Queensland Health.

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