



AUSTRALIAN CAPITAL TERRITORY

Poisons and Drugs (Amendment) Act 1997

No. 126 of 1997

An Act to amend the *Poisons and Drugs Act 1978*

[Notified in ACT Gazette S420: 24 December 1997]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Poisons and Drugs (Amendment) Act 1997*.

Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

3. In this Act, “Principal Act” means the *Poisons and Drugs Act 1978*.¹

Interpretation

4. Section 3 of the Principal Act is amended by omitting from subsection (2) “subclause 1.1” and substituting “subclauses 76, 77, 78, 79 and 80”.

Substitution

5. Divisions 1, 2 and 3 of Part III of the Principal Act are repealed and the following sections substituted:

Interpretation

“28. Expressions used in this Part, not being expressions defined in this Act, shall, unless the contrary intention appears, have the same meaning as in the Drugs and Poisons Standard.

Labels and containers

“29. (1) A label or requirement in relation to labelling, or a word, statement, expression, character or name on a label, to which the Drugs and Poisons Standard applies shall—

- (a) up to and including 30 June 2000 comply with or shall be satisfied by compliance with Division 1 or Division 2 of Part 2 of the Drugs and Poisons Standard; and
- (b) after 30 June 2000 comply with or shall be satisfied by compliance with Division 1 of Part 2 of the Drugs and Poisons Standard.

“(2) A container or device to which the Drugs and Poisons Standard applies shall comply with Part 2 of the Drugs and Poisons Standard.

Warning statements etc.

“30. (1) A label on a container or device containing a substance shall—

- (a) in the case of a substance specified in Appendix E of the Drugs and Poisons Standard—bear any standard statement specified in that Appendix in respect of that substance;
- (b) in the case of a substance specified in Appendix F of the Drugs and Poisons Standard—bear any warning statement or safety direction specified in that Appendix in respect of that substance; or
- (c) in the case of a substance specified in Appendix K or paragraph 75 of Part 3 of the Drugs and Poisons Standard—bear any warning statement referred to in that paragraph in respect of that substance.

“(2) The requirements of the Drugs and Poisons Standard do not apply to a substance specified in Appendix E or G of the Standard where the concentration of that substance is less than the concentration specified in respect of that substance.”.

Heading to Division 4, Part III

6. The heading to Division 4 of Part III of the Principal Act is omitted.

Repeal

7. Section 46 of the Principal Act is repealed.

Repeal

8. Schedules 10 and 11 to the Principal Act are repealed.

NOTE

Principal Act

1. Reprinted as at 28 February 1995.

[Presentation speech made in Assembly on 6 November 1997]