

1994

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

POISONS AND DRUGS (AMENDMENT) BILL 1994

EXPLANATORY MEMORANDUM

Circulated by authority of the Minister for Health

Terry Connolly MLA

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OUTLINE

This Bill amends the Poisons and Drugs Act 1978 (the Principal Act). The Principal Act lists poisons and drugs in eight schedules, sets out labelling and packaging requirements for all scheduled substances, and requires sellers of Schedule 7 poisons to be licensed and users to be authorised. It also lists restricted substances which can be prescribed or supplied only by authorised medical specialists.

The purpose of the Bill is to remove from the Principal Act both the list of restricted substances and the list of specialist doctors eligible to be authorised by the Medical Officer of Health to supply or prescribe these substances. Transfer of both lists to the Poisons and Drugs Regulations will facilitate keeping the list of restricted substances and the eligibility of specialists who may be granted authority to prescribe them up to date.

FINANCIAL CONSIDERATIONS

This Bill has no revenue or cost implications.

CLAUSE NOTES

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Formal Clauses

Clauses 1, 2 and 3 are formal requirements. They refer to the short title and commencement of the Bill, and the definition of the Principal Act. The amending Act will commence on the day the Bill is notified in the Gazette.

Clauses 4, 5, 7, 8 and 10

These are tidying up processes. Clause 4 provides for the removal of the heading Division 6A because only one matter is handled in Part II of the Principal Act. References to Division 6A in the Principal Act are removed by clauses 5, 7, 8 and 10.

Clause 6 - Substitution

This clause redefines restricted substances as being prescribed restricted substances and allows the Executive to prescribe restricted substances in the Poisons and Drugs Regulations.

Clause 9 - Grant of authorisation

This clause removes from the Principal Act the list of specialist doctors eligible to be authorised by the Medical Officer of Health to supply or prescribe these substances and allows the Executive to prescribe in the Poisons and Drugs Regulations a class of persons to whom authorisation may be granted.