

1992

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

POISONS (AMENDMENT) BILL 1992

EXPLANATORY MEMORANDUM

Circulated by authority of the Minister for Health

Wayne Berry MLA

## POISONS (AMENDMENT) BILL 1992

### EXPLANATORY MEMORANDUM

#### OUTLINE

This is an amending Bill, the second of a package of three amending Bills which includes the Poisons and Drugs (Amendment) Bill 1992 and the Drugs of Dependence (Amendment) Bill (No. 5) 1992.

This Bill amends the Poisons Act 1933 (the Principal Act). The Principal Act controls the sale and provides for the licensing of vendors of drugs and poisons, excluding Schedule 7 poisons.

Licensing of vendors of Schedule 7 poisons, the most dangerous poisons, will be incorporated into the Poisons and Drugs Act 1978 by the Poisons and Drugs (Amendment) Bill 1992. The Poisons (Amendment) Bill contains consequential amendments to omit licensing of these most dangerous poisons. The Principal Act retains licensing provisions for vendors of domestic chemicals and the less dangerous industrial and agricultural poisons.

The Bill also removes sexist language from the Principal Act in line with Government policy.

#### FINANCIAL CONSIDERATIONS

This Bill has no revenue or cost implications.

## CLAUSE NOTES

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. Clauses 1, 2 and 3 will commence on the day the Bill is notified in the Gazette. The remaining clauses commence on the day on which section 4 of the Poisons and Drugs (Amendment) Bill 1992 comes into force.

Clause 4: Interpretation

This clause amends the definitions of "poison" and "poisonous substance" to effectively exclude Schedule 7 poisons in the Poisons and Drugs Act 1978 from the provisions of the Principal Act.

The omission of the definitions of "container" and "Poisons Register" are consequential upon the Poisons and Drugs (Amendment) Bill.

The definition of "methylated spirit" is omitted as the provisions in the Principal Act relating to methylated spirit are obsolete.

Clause 5: Repeal

Section 18 and Part IV of the Principal Act are repealed consequential to the the inclusion of updated provisions in the Poisons and Drugs Act by the Poisons and Drugs (Amendment) Bill relating to Schedule 7 poisons.

Sections 41 and 42 of the Principal Act relating to methylated spirit are repealed.

Clause 6: Further amendments

This clause removes sexist language from the Principal Act.