

Australian Capital Territory

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2021 (No 1)

Subordinate law SL2021-19

made under the

Medicines, Poisons and Therapeutic Goods Act 2008, Section 184 (Regulation-making power)

EXPLANATORY STATEMENT

The objective of the *Medicines, Poisons and Therapeutic Goods Act 2008* (MPTG Act) is to promote and protect public health and safety by minimising medicinal misadventure with, and diversion of, regulated substances, and the manufacture of regulated substances that are subject to abuse.

The Medicines, Poisons and Therapeutic Goods Regulation 2008 (MPTG Regulation) provides the detail for the regulatory framework established by the MPTG Act. With reference to medicine and poisons categorised by the Poisons Standard, the MPTG Regulation sets out which health professionals are able to prescribe, administer and dispense a medicine, and conditions relating to such dealings. Some provisions of the MPTG Regulation also prescribe additional information required for licences or authorisations.

Part 9.7 of the MPTG Regulation outlines the authorisations for dealing with COVID-19 vaccines. Section 491 of the MPTG Regulation enables the Chief Health Officer (CHO) to approve a person to deal with a COVID-19 vaccine and make that approval, subject to any conditions that the CHO considers appropriate. This section stipulates that a CHO approval is a notifiable instrument.

Under Part 9.7, a dealing with a COVID-19 vaccine is defined to mean administer, obtain, possess, or supply a COVID-19 vaccine.

Part 9.7 will expire twelve months after the end of the declared COVID-19 emergency in the ACT. This new Part is intended to be a temporary measure to support vaccination efforts at public clinics during the COVID-19 emergency and for twelve months following this period.

This instrument does not affect any other authorisation of a person under the MPTG Act to deal with a COVID-19 vaccine. Part 9.7 of the MPTG Regulation has been inserted so as to not interfere with persons under an existing authorisation,

including doctors, registered nurses, registered midwives and pharmacists who may administer a COVID-19 vaccine.

The intent of this amendment regulation is to support expansion of the COVID-19 vaccinating workforce at ACT Government operated vaccination clinics, to ensure the ACT has sufficient authorised immunisers to meet the forecast increase in supply and demand for COVID-19 vaccines and meet vaccination targets set out by the Australian Government *Vaccination Allocation Horizons*.