



Australian Capital Territory

Poisons and Drugs Regulation 1993

SL1993-15

made under the

Poisons and Drugs Act 1978

Republication No 5

Effective: 1 November 2004 – 24 July 2006

Republication date: 1 November 2004

Last amendment made by A2002-49
(republishing includes editorial amendments
under Legislation Act)

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Poisons and Drugs Regulation 1993*, made under the *Poisons and Drugs Act 1978* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 November 2004. It also includes any amendment, repeal or expiry affecting the republished law to 1 November 2004.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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R5
01/11/04

Poisons and Drugs Regulation 1993
Effective: 01/11/04-24/07/06

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made under the

Poisons and Drugs Act 1978

1 Name of regulation

This regulation is the *Poisons and Drugs Regulation 1993*.

3 Prescribed institutions—Act, dict, def of *recognised institution*, par (b)

The following institutions are prescribed:

- (a) Australian Catholic University;
- (b) Canberra Institute of Technology;
- (c) The Australian National University;
- (d) the University College within the Australian Defence Force Academy;
- (e) University of Canberra.

4 Restricted substances—Act, s 5, def of *restricted substance*

The substances mentioned in schedule 1, column 2 are prescribed.

5 Prescribed people for restricted substances—Act, s 8

A person mentioned in an item in schedule 1, column 3 is prescribed for the substance mentioned in column 2 of the item.

6 Possession of certain poisons—Act, s 33 (2) (b)

- (1) The substances mentioned in schedule 2, column 2 are prescribed.
- (2) A person mentioned in an item in schedule 2, column 3 is prescribed for the purpose mentioned in column 4, and for the substance mentioned in column 2, of the item.
- (3) The people in day-to-day control of analytical laboratories are prescribed for a substance mentioned in schedule 3 for the purpose of analysis.

Schedule 1 Restricted substances

(see s 4 and s 5)

column 1 item	column 2 restricted substance	column 3 people
1	acitretin	specialists practising in the field of dermatology or specialist physicians
2	clomiphene	specialists practising in the field of endocrinology, gynaecology or obstetrics
3	clozapine	specialists practising in the field of psychiatry
4	cyclofenil	specialists practising in the field of endocrinology, gynaecology or obstetrics
5	dinoprost	specialists practising in the field of endocrinology, gynaecology or obstetrics
6	dinoprostone	specialists practising in the field of endocrinology, gynaecology or obstetrics
7	dronabinol	doctors authorised by the Secretary of the Commonwealth Department of Health and Ageing
8	etretinate	specialists practising in the field of dermatology or specialist physicians
9	isotretinoin	specialists practising in the field of dermatology or specialist physicians
10	luteinising hormone	specialists practising in the field of endocrinology, gynaecology or obstetrics
11	4thaldomide	specialists practising in the field of dermatology or specialist physicians
12	urofollitrophin (human follicle stimulating hormone)	specialists practising in the field of endocrinology, gynaecology or obstetrics

Schedule 2 Poisons prescribed for manufacturing use

(see s 6 (1) and (2))

column 1 item	column 2 poison	column 3 people	column 4 purpose
1	arsenic	manufacturers of glass metallurgists	manufacturing glass manufacturing alloys
2	benzene	manufacturers of dyes or pharmaceuticals manufacturers of lacquers, linoleum, protective cloths or varnishes	manufacturing dyes or pharmaceuticals manufacturing lacquers, linoleum, protective cloths or varnishes
3	carbon tetrachloride	manufacturers of chemicals or pharmaceuticals manufacturers of lacquers, paints or varnishes	manufacturing chemicals or pharmaceuticals manufacturing lacquers, paints or varnishes
4	chlorine	managers of swimming pools other than domestic swimming pools manufacturers of chemicals, plastics or synthetic rubber metallurgists people working at sewage treatment centres	purifying water in pools manufacturing chemicals, plastics or synthetic rubber cleaning metals treating sewage at treatment centres

column 1 item	column 2 poison	column 3 people	column 4 purpose
		people working at water treatment centres	purifying water at treatment centres
5	cyanides	electroplaters jewellers miners	electroplating manufacturing gold jewellery extracting or processing gold
6	epichlorohydrin	manufacturers of lacquers, paints or varnishes	manufacturing lacquers, paints or varnishes
7	ethylene oxide	manufacturers of chemicals or detergents sterilising technologists	manufacturing chemicals or detergents sterilising surgical instruments
8	hydrofluoric acid	glass workers masons metal workers miners potters	etching glass cleaning building materials cleaning or etching metals extracting or processing gold cleaning ceramics
9	mercury	dentists or dental workers manufacturers of lamps, mirrors or scientific instruments manufacturers of mercury salts or organic compounds	making amalgams manufacturing of lamps, mirrors or scientific instruments manufacturing mercury salts or organic compounds

Schedule 2**Poisons prescribed for manufacturing use**

column 1 item	column 2 poison	column 3 people	column 4 purpose
		miners	extracting metals from ores
10	4, 4'—methylenebis [2-chloroaniline]	manufacturers of plastics	manufacturing plastics
11	propylene oxide	manufacturers of detergents, lubricants or organic compounds	manufacturing detergents, lubricants or organic compounds
12	tetrachloroethane	manufacturers of organic compounds, paints, rust removers or varnishes	manufacturing organic compounds, paints, rust removers or varnishes
13	ortho-tolidine	manufacturers of dyes	manufacturing dyes
14	trichloroisocyanuric acid	manufacturers of disinfectants, household cleaners or industrial deodorants	manufacturing disinfectants, household cleaners or industrial deodorants

Schedule 3 Analysis of prescribed poisons

(see s 6 (3))

column 1 item	column 2 poison
1	acrolein
2	acrylonitrile
3	allyl alcohol
4	4-aminopyridine
5	benzene
6	bromine
7	brucine
8	carbon tetrachloride
9	chlorine
10	5-chloro-3-methyl-4-nitropyrazole
11	4-chloro-0-toluidine
12	cyanides
13	4, 4-diaminodiphenylmethane
14	1, 2-dibromo-3-chloropropane
15	1, 3-dichloropropene
16	dimethyl sulphate
17	ethylene dibromide
18	ethylene oxide
19	fluoroacetic acid
20	hydrocarbons liquid aromatic
21	hydrocyanic acid
22	hydrofluoric acid
23	hydrogen sulphide
24	mercuric chloride
25	mercury
26	methoxyethylmercuric acetate
27	methoxyethylmercuric chloride
28	methyl bromide
29	4, 4'-methylenebis [2-chloroaniline] (moca)
30	phenylmercuric acetate

Schedule 3 Analysis of prescribed poisons

column 1 item	column 2 poison
31	propylene oxide
32	tetrachloroethane
33	ortho-tolidine
34	trichloroisocyanuric acid
35	vinyl chloride

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

Endnotes

3 Legislation history

3 Legislation history

This regulation was originally the *Poisons and Dangerous Drugs Regulations*. It was renamed by the *Health and Community Care Legislation Amendment Act 2000* (see sch 4) and under the *Legislation Act 2001*.

Poisons and Drugs Regulation 1993 SL No 15

notified 31 March 1993

commenced 31 March 1993 (s 2 and Gaz 1993 No S53)

as amended by

Poisons and Drugs Regulations 1994 SL No 31

notified 5 October 1994

commenced 15 September 1994 (s 1 and Gaz 1994 No S193)

Poisons and Drugs Regulations 1995 SL No 22

notified 22 June 1995

commenced 22 June 1995 (s 1)

Health and Community Care Legislation Amendment Act 2000 No 28 sch 4

notified 30 June 2000 (Gaz 2000 No S30)

s 1, s 2 commenced 30 June 2000 (IA s 10B)

sch 4 commenced 1 July 2000 (s 2)

Legislation (Consequential Amendments) Act 2001 No 44 pt 290

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 290 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Statute Law Amendment Act 2002 (No 2) No 49 pt 3.15

notified LR 20 December 2002

s 1, s 2 taken to have commenced 7 October 1994 (LA s 75 (2))

pt 3.15 commenced 17 January 2003 (s 2 (1))

4 Amendment history

Name of regulation

s 1 sub Act 2000 No 28 sch 4
am R5 LA

Definition for regulation

s 2 hdg (prev s 3 hdg) sub Act 2000 No 28 sch 4
s 2 orig s 2 om Act 2000 No 28 sch 4
pres s 2 (prev s 3) am Act 2000 No 28 sch 4
renum R2 LRA (see Act 2000 No 28 sch 4)
om Act 2001 No 44 amdt 1.3247

Prescribed institutions—Act, dict, def of *recognised institution*, par (b)

s 3 (prev s 4) renum R2 LRA (see Act 2000 No 28 sch 4)
sub Act 2002 No 49 amdt 3.143

Restricted substances—Act, s 5, def of *restricted substance*

s 4 (prev s 4A) ins 1994 No 31 s 3
renum R2 LRA (see Act 2000 No 28 sch 4)
sub Act 2002 No 49 amdt 3.143

Prescribed people for restricted substances—Act, s 8

s 5 (prev s 4B) ins 1994 No 31 s 3
renum R2 LRA (see Act 2000 No 28 sch 4)
sub Act 2002 No 49 amdt 3.143

Possession of certain poisons—Act, s 33 (2) (b)

s 6 (prev s 5) renum R2 LRA (see Act 2000 No 28 sch 4)
sub Act 2002 No 49 amdt 3.143

Restricted substances

sch 1 hdg (prev sch 3 hdg) sub as sch 1 hdg Act 2002 No 49 amdt 3.150
sch 1 orig sch 1 renum as sch 2
(prev sch 3) ins 1994 No 31 s 4
am 1995 No 22 s 3; Act 2000 No 28 sch 4; Act 2002 No 49
amdt 3.151, amdt 3.152
renum Act 2002 No 49 amdt 3.149

Poisons prescribed for manufacturing use

sch 2 hdg (prev sch 1 hdg) sub as sch 2 hdg Act 2002 No 49 amdt 3.145
sch 2 orig sch 2 renum as sch 3
(prev sch 1) am Act 2002 No 49 amdt 3.146
renum Act 2002 No 49 amdt 3.144

Analysis of prescribed poisons

sch 3 hdg (prev sch 2 hdg) sub as sch 3 hdg Act 2002 No 49 amdt 3.148
sch 3 orig sch 3 renum as sch 1
(prev sch 2) renum Act 2002 No 49 amdt 3.147

Endnotes

5 Earlier republishings

5 Earlier republishings

Some earlier republishings were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republishings have also been published in printed format. These republishings are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	SL 1995 No 22	31 January 1998
2	Act 2000 No 28	28 August 2000
3	Act 2001 No 44	21 December 2001
4	A2002-49	17 January 2003

6 Renumbered provisions

This subordinate law was renumbered by the *Health and Community Care Legislation Amendment Act 2000* No 28 and under the *Legislation Republication Act 1996*, in R2A. Details of renumbered provisions are shown in endnote 4 (Amendment history). For a table showing the renumbered provisions, see R3.

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