



Australian Capital Territory

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2010 (No 5)

Subordinate Law SL2010-45

The Australian Capital Territory Executive makes the following regulation under the *Medicines, Poisons and Therapeutic Goods Act 2008*.

Dated 8 November 2010.

KATY GALLAGHER
Minister

SIMON CORBELL
Minister



Australian Capital Territory

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2010 (No 5)

Subordinate Law SL2010-45

made under the

Medicines, Poisons and Therapeutic Goods Act 2008

1 Name of regulation

This regulation is the *Medicines, Poisons and Therapeutic Goods Amendment Regulation 2010 (No 5)*.

2 Commencement

This regulation commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Legislation amended

This regulation amends the *Medicines, Poisons and Therapeutic Goods Regulation 2008*.

J2010-368

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

4 Section 30 (1) (c) (i)

substitute

- (i) the person is not a trainee dentist, trainee nurse practitioner, intern doctor or person training to be an eligible midwife; or

5 New section 41 (1) (ia)

insert

- (ia) if the prescriber is an eligible midwife—the words ‘for midwifery use only’;

6 New section 123 (ba)

insert

- (ba) if the prescriber is an eligible midwife—the words ‘for midwifery use only’;

7 New section 161 (ia)

insert

- (ia) if the prescriber is an eligible midwife—the words ‘for midwifery use only’;

8 Section 360 (2) (a) (i)

substitute

- (i) a trainee dentist, trainee nurse practitioner, intern doctor or person training to be an eligible midwife; or

9 Section 510 (a), except notes*substitute*

- (a) a dentist, doctor, eligible midwife, nurse practitioner, optometrist, podiatrist or veterinary surgeon;

10 New section 861 (4)*insert*

- (4) In this section:

public employee includes a police officer.

11 Schedule 1, part 1.5, new item 2*insert*

2	eligible midwife	<p>to the extent necessary to practise midwifery and, if employed, within the scope of employment, do any of the following:</p> <ul style="list-style-type: none"> (a) issue requisitions for medicines; (b) obtain medicines; (c) possess medicines; (d) if the midwife is an authorised midwife—prescribe medicines listed on the pharmaceutical benefits scheme for prescribing by an authorised midwife (see <i>National Health Act 1953</i> (Cwlth), s 93AA); (e) supply medicines to which par (d) applies to patients during consultations if labelled in accordance with s 161; (f) administer medicines to which par (d) applies in accordance with prescription issued by themselves;
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		<p>(g) administer medicines in accordance with prescription issued by another prescriber, or standing order;</p> <p>(h) supply medicines in accordance with a standing order issued by chief health officer or a requisition;</p> <p>(i) supply medicines dispensed for patient to another health professional on patient's transfer within institution;</p> <p>(j) supply medicines dispensed for patient to patient on patient's discharge from institution.</p>
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12 Schedule 3, part 3.2, item 4

substitute

4	specialist physician	<p>ambrisentan for human use</p> <p>acitretin for human use</p> <p>etretinate for human use</p> <p>bexarotene for human use</p> <p>bosentan for human use</p> <p>isotretinoin for human oral use</p> <p>lenalidomide for human use</p> <p>sitaxentan for human use</p> <p>teriparatide for human use</p> <p>thalidomide for human use</p> <p>tretinoin for human oral use</p>	<p>conditions 1 and 3</p> <p>conditions 1 and 4</p> <p>conditions 1 and 4</p> <p>conditions 1 and 2</p> <p>conditions 1 and 3</p> <p>conditions 1 and 2</p> <p>conditions 1 and 2</p> <p>conditions 1 and 3</p> <p>conditions 1 and 2</p> <p>conditions 1 and 2</p>
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13 Dictionary, new definitions

insert

authorised midwife—see the *National Health Act 1953* (Cwlth), section 84 (1), definition of ***authorised midwife***.

eligible midwife—see the *National Health Act 1953* (Cwlth), section 84AAE.

pharmaceutical benefits scheme means the scheme for the supply of pharmaceutical benefits established under the *National Health Act 1953* (Cwlth), part 7.

Endnotes

1 Notification

Notified under the Legislation Act on 22 November 2010.

2 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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