



Australian Capital Territory

# Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 2)

Subordinate Law SL2020-21

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

Dated 19 June 2020.

RACHEL STEPHEN-SMITH  
Minister

SHANE RATTENBURY  
Minister

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# Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 2)

Subordinate Law SL2020-21

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[Medicines, Poisons and Therapeutic Goods Act 2008](#)

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<b>1</b>	<b>Name of regulation</b>
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This regulation is the *Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 2)*.

## **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](#).

## **4 Section 31 (1) (b) (iv)**

*omit*

24 hours

*substitute*

7 days

## **5 New section 31A**

*insert*

### **31A Variation of authorisation condition during Commonwealth special arrangement period**

- (1) This section applies to a prescriber of a prescription if—
  - (a) the prescription is faxed by the prescriber to a pharmacist; and
  - (b) the prescription is for the supply of a medicine in accordance with a Commonwealth special arrangement; and
  - (c) the Commonwealth special arrangement requires the prescriber to keep the original of the prescription.
- (2) The prescriber is not required to send the original of the prescription under section 31 (1) (b) (iv).

- (3) In this section:

**Commonwealth special arrangement** means a special arrangement made under the *National Health Act 1953* (Cwlth), section 100, as in force from time to time.

*Note* Commonwealth special arrangements are accessible at [www.legislation.gov.au](http://www.legislation.gov.au).

## **6 Section 120 (1) (g)**

*substitute*

- (g) if the prescription is an oral prescription for the dispensing of the medicine, or is faxed by a prescriber to a pharmacist, and the pharmacist does not receive an original of the prescription within 14 days after the day the prescription is given—the pharmacist must, within 24 hours after the end of the 14-day period, tell the chief health officer, in writing, of the failure to receive the original prescription;

## **7 New section 120A**

*insert*

### **120A Variation of authorisation condition for dispensing medicines during Commonwealth special arrangement period**

- (1) This section applies to a pharmacist who receives a written prescription if—
- (a) the prescription is faxed by a prescriber to the pharmacist; and
  - (b) the prescription is for the supply of a medicine in accordance with a Commonwealth special arrangement; and

- (c) the Commonwealth special arrangement requires the prescriber to keep the original of the prescription.
- (2) The pharmacist is not required to tell the chief health officer of a failure to receive the original prescription under section 120 (1) (g).
- (3) In this section:

*Commonwealth special arrangement* means a special arrangement under the *National Health Act 1953* (Cwlth), section 100, as in force from time to time.

*Note* Commonwealth special arrangements are accessible at [www.legislation.gov.au](http://www.legislation.gov.au).

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## Endnotes

### 1 Notification

Notified under the [Legislation Act](#) on 19 June 2020.

### 2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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