

Australian Capital Territory

Subordinate Law

The Australian Capital Territory Executive makes the following regulation under the [Medicines, Poisons and Therapeutic Goods Act 2008](http://www.legislation.act.gov.au/a/2008-26).

Dated 26 June 2020.

Rachel Stephen-Smith

Minister

Shane Rattenbury

Minister



Australian Capital Territory

Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 3)

Subordinate Law

made under the

[Medicines, Poisons and Therapeutic Goods Act 2008](http://www.legislation.act.gov.au/a/2008-26" \o "A2008-26)

1 Name of regulation

This regulation is the *Medicines, Poisons and Therapeutic Goods Amendment Regulation 2020 (No 3)*.

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](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This regulation amends the [Medicines, Poisons and Therapeutic Goods Regulation 2008](http://www.legislation.act.gov.au/sl/2008-42).

4 Part 15.1 heading

substitute

Part 15.1 Opioid dependency treatment

5 New sections 631 and 632

in part 15.1, insert

631 Minister may exempt certain people dealing with buprenorphine or methadone from Act—Act, s 190 (1) (b)

(1) The Minister may exempt a person from the Act if the person—

(a) is an agent of an ODT person; and

(b) is dealing with buprenorphine or methadone for the ODT person.

Note An exemption may be conditional (see the [Act](https://www.legislation.act.gov.au/a/2008-26/), s 190 (2)).

(2) An exemption is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14).

(3) In this section:

agent, of an ODT person, means a person nominated as the ODT person’s agent under the ODT contingency guidelines.

ODT contingency guidelines means guidelines issued under the [Act](https://www.legislation.act.gov.au/a/2008-26/), section 192 that make provision about the circumstances in which an agent for an ODT person may deal with buprenorphine or methadone for the ODT person.

ODT person means a person who—

(a) is dependent on opioids; and

(b) is being treated for their dependency with buprenorphine or methadone.

632 Certain people exempt from Act during COVID-19 emergency—Act, s 190 (1) (a)

(1) An agent of an ODT person is exempt from the Act if—

(a) the ODT person is unable to attend an opioid dependency treatment centre because of a COVID-19 emergency; and

(b) the agent is dealing with buprenorphine or methadone for the ODT person; and

(c) the agent complies with the ODT contingency guidelines when dealing with the buprenorphine or methadone for the ODT person.

Note 1 Opioid dependency treatment centre—see the [Act](https://www.legislation.act.gov.au/a/2008-26/), dictionary.

Note 2 Dealing with buprenorphine or methadone includes obtaining, possessing, supplying or discarding the substance (see the [Act](https://www.legislation.act.gov.au/a/2008-26/), s 19).

(2) In this section:

agent, of an ODT person—see section 631 (3).

COVID-19 emergency means—

(a) a state of emergency declared under the [Emergencies Act 2004](http://www.legislation.act.gov.au/a/2004-28), section 156 because of the coronavirus disease 2019 (COVID‑19); or

(b) an emergency declared under the [Public Health Act 1997](http://www.legislation.act.gov.au/a/1997-69), section 119 (including any extension or further extension) because of the coronavirus disease 2019 (COVID-19).

ODT contingency guidelines—see section 631 (3).

ODT person—see section 631 (3).

(3) This section expires on the first day no COVID-19 emergency is in force.

6 Dictionary, note 3, new dot point

insert

 opioid dependency treatment centre

Endnotes

1 Notification

Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 26 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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