



Australian Capital Territory

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

Subordinate Law SL2021-19

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

Dated 17 August 2021.

ANDREW BARR  
Chief Minister

RACHEL STEPHEN-SMITH  
Minister

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Subordinate Law SL2021-19

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

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## 1 Name of regulation

This regulation is the *Medicines, Poisons and Therapeutic Goods Amendment Regulation 2021 (No 1)*.

## **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 New part 9.7**

*insert*

# **Part 9.7 Authorisations for dealing with COVID-19 vaccines**

## **491 Authorisation for dealing with COVID-19 vaccine during public health emergency—Act, s 20 (1) (c)**

- (1) A person is authorised to deal with a COVID-19 vaccine if—
  - (a) the person is approved under this section to deal with a COVID-19 vaccine; and
  - (b) the dealing is consistent with any condition mentioned in the approval for the dealing of a COVID-19 vaccine; and
  - (c) for the supply of a COVID-19 vaccine to another person—the other person is authorised to possess a COVID-19 vaccine.
- (2) The chief health officer may approve a person to deal with a COVID-19 vaccine—
  - (a) if the chief health officer is satisfied that the person is suitable to deal with a COVID-19 vaccine; and

- (b) subject to any conditions the chief health officer considers appropriate.

**Examples—par (a)**

- health practitioner not already authorised under sch 1
- non-registered health practitioner
- student of a health profession
- Australian Defence Force medical technician

*Note* Power to make an approval includes power to make different provision in relation to different matters or different classes of matters and to make an approval that applies differently by reference to stated exceptions or factors (see [Legislation Act](#), s 48).

- (3) An approval is a notifiable instrument.
- (4) Nothing in this section affects an authorisation of a person otherwise under the Act to deal with a COVID-19 vaccine.
- (5) In this section:

**COVID-19** means the coronavirus disease 2019 (COVID-19) caused by the novel coronavirus SARS-CoV-2.

**COVID-19 emergency** means—

- (a) a state of emergency declared under the [Emergencies Act 2004](#), section 156 because of COVID-19; or
- (b) an emergency declared under the [Public Health Act 1997](#), section 119 (including any extension or further extension) because of COVID-19.

**COVID-19 vaccine** means SARS-COV-2 (COVID-19) vaccine listed in the medicines and poisons standard, schedule 4.

**deal**, with a COVID-19 vaccine, means—

- (a) administer a COVID-19 vaccine; or
- (b) obtain a COVID-19 vaccine; or

(c) possess a COVID-19 vaccine; or

(d) supply a COVID-19 vaccine.

**492 Expiry—pt 9.7**

(1) This part expires at the end of a 12-month period during which no COVID-19 emergency has been in force.

(2) In this section:

*COVID-19 emergency*—see section 491 (5).

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## Endnotes

**1 Notification**

Notified under the [Legislation Act](#) on 17 August 2021.

**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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