



## POISONS AMENDMENT ACT 1986

No. 9 of 1986

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### AN ACT to amend the Poisons Act 1971.

[Royal Assent 17 April 1986]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1**—This Act may be cited as the *Poisons Amendment Act 1986*. Short title.

**2**—This Act shall commence on the day on which it receives the Royal assent. Commencement.

**3**—In this Act, the *Poisons Act 1971*\* is referred to as the Principal Act. Principal Act.

\* No. 81 of 1971. Amended by Nos. 75 and 95 of 1973, No. 80 of 1976, Nos. 43 and 99 of 1982, Nos. 27 and 29 of 1984, and No. 51 of 1985.

Amendment of section 38 of Principal Act (Limitation of application of certain provisions of Division I of this Part).

- 4—Section 38 (1) of the Principal Act is amended as follows:—
- (a) by omitting from paragraph (b) “ paragraph; or ” and substituting “ paragraph;”;
  - (b) by omitting from paragraph (c) “ section 25A.” and substituting “ section 25A;”;
  - (c) by inserting the following paragraphs after paragraph (c):—
    - (d) the administration to a person who, because of age or mental or physical disability, whether permanent or temporary, is incapable of caring for himself of—
      - (i) a substance to which section 26 applies by a parent or guardian of the person; or
      - (ii) a restricted substance by a parent or guardian of the person as prescribed by a medical practitioner;
    - (e) the administration to a person of a substance to which section 26 applies or a restricted substance by a registered nurse in accordance with the written directions of a medical practitioner;
    - (f) the administration to a person of a local anaesthetic included in Schedule 4 of the Poisons List by—
      - (i) a person registered as a podiatrist under the *Podiatrists Registration Act 1974* pursuant to an approval granted under section 14A (or a provisional approval granted under section 14B) of the Act in the lawful practice of his profession; or
      - (ii) a person granted provisional registration as a podiatrist under section 13 of the Act pursuant to a provisional approval granted under section 14B of the Act in the course of his carrying out podiatric procedures;

- (g) the administration to a person of a substance to which section 26 applies or a restricted substance by the master of a boat where the substance is required to be carried on a boat of that class by the *Marine Act* 1976 for the purpose of providing medical treatment of a passenger or crew member on the boat;
- (h) the administration to a person of a substance to which section 26 applies or a restricted substance by an ambulance officer—
  - (i) at the direction of a medical practitioner; or
  - (ii) in accordance with the Field Protocols applying with respect to the administration of scheduled substances as approved by the Director of Ambulance Services from time to time; or
- (i) the administration to a person of a substance to which section 26 applies or a restricted substance by a prescribed person or a member of a class of prescribed persons in circumstances prescribed by the regulations.

5—Section 47 (1) of the Principal Act is amended as follows:—

(a) by omitting from paragraph (d) “ section 25A; or ” and substituting “ section 25A;”

(b) by inserting the following paragraphs after paragraph (d):—

(da) the person is a registered nurse administering a narcotic substance in the course of medical treatment on the direction in writing of a medical practitioner;

(db) the person is the parent or guardian of a person who, because of age or mental or physical disability, whether permanent or temporary, is incapable of caring for himself to whom a narcotic substance is being administered on the direction in writing of a medical practitioner;

Amendment of section 47 of Principal Act (Sale and supply of narcotic substances, prohibited plants, and prohibited substances).

- (dc) the person is the master of a boat administering a narcotic substance to a passenger or crew member on the boat where the substance is required to be carried on a boat of that class by the *Marine Act* 1976 for the purposes of medical treatment;
- (dd) the person is an ambulance officer administering a narcotic substance—
  - (i) at the direction of a medical practitioner; or
  - (ii) in accordance with the Field Protocols applying with respect to the administration of scheduled substances as approved by the Director of Ambulance Services from time to time; or