

|  |
| --- |
| 2024-2025 fines and penalties for Drugs, Poisons and Controlled Substances Regulations 2017 |
|  |

This document is an annually updated publication of the indexation of fines and penalties for the reference of the general public.

# Drugs, Poisons and Controlled Substances Regulations 2017

| Drugs, Poisons and Controlled Substances Regulations 2017, Regulation | Description | 2023-2024 Penalty amount | 2024-2025 Penalty amount |
| --- | --- | --- | --- |
| 9 Dentist must not possess methadone | A dentist must not possess methadone | $19,210 | $19,759 |
| 16(1) Persons authorised to issue prescriptions | A person other than a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner, authorised midwife, authorised optometrist or authorised podiatrist must not issue a prescription for a Schedule 4 poison. | $19,210 | $19,759 |
| 16(2) Persons authorised to issue prescriptions | A person other than a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner or authorised midwife must not issue a prescription for a Schedule 8 poison. | $19,210 | $19,759 |
| 16(3) Persons authorised to issue prescriptions | A person other than a registered medical practitioner, veterinary practitioner or dentist must not issue a prescription for a Schedule 9 poison. | $19,210 | $19,759 |
| 17 Issuing prescription for Schedule 4, 8 or 9 poison— registered medical practitioner | A registered medical practitioner must not issue a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the prescription is for the medical treatment of a person other than the practitioner; and (b) that person is— (i) under the practitioner's care; and (ii) named in the prescription; and (c) the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued; and (f) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the practitioner holds a special Schedule 8 permit that authorises the issuing of the prescription; and (g) in the case of a Schedule 9 poison, the practitioner holds a general Schedule 9 permit, or a Schedule 9 permit, that authorises the issuing of the prescription. | $19,210 | $19,759 |
| 18(1) Issuing prescription for Schedule 4, 8 or 9 poison— dentist | A dentist must not issue a prescription for methadone. | $19,210 | $19,759 |
| 18(2) Issuing prescription for Schedule 4, 8 or 9 poison— dentist | A dentist must not issue a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the prescription is for the dental treatment of a person other than the dentist; and (b) that person is— (i) under the dentist's care; and (ii) named in the prescription; and (c) the dentist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and (e) the prescription provides only for a single supply of the poison; and (f) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the dentist has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued; and (g) in the case of a Schedule 9 poison, the dentist holds a general Schedule 9 permit that authorises the issuing of the prescription | $19,210 | $19,759 |
| 19 Issuing prescription for Schedule 4, 8 or 9 poison— veterinary practitioner | A veterinary practitioner must not issue a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) that prescription is for the treatment of an animal— (i) under the veterinary practitioner's care; and (ii) described in the prescription; and (b) the veterinary practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (c) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the veterinary practitioner has taken all reasonable steps to ascertain the identity of the person who owns or has custody or care of the animal for whose treatment the prescription is issued; and (d) in the case of a Schedule 9 poison, the veterinary practitioner holds a general Schedule 9 permit that authorises the issuing of the prescription. | $19,210 | $19,759 |
| 20 Issuing prescription for Schedule 4 or 8 poison— nurse practitioner | A nurse practitioner must not issue a prescription for a Schedule 4 poison or Schedule 8 poison unless— (a) the prescription is for the treatment of a person other than the nurse practitioner; and (b) that person is— (i) under the nurse practitioner's care; and (ii) named in the prescription; and (c) the nurse practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the nurse practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued; and (f) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the nurse practitioner holds a special Schedule 8 permit that authorises the issuing of the prescription. | $19,210 | $19,759 |
| 21 Issuing prescription for Schedule 4 or 8 poison— authorised midwife | An authorised midwife must not issue a prescription for a Schedule 4 poison or Schedule 8 poison unless— (a) the prescription is for the midwifery treatment of a person other than the midwife; and (b) that person is— (i) under the midwife's care; and (ii) named in the prescription; and (c) the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the midwife has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued. | $19,210 | $19,759 |
| 22 Issuing prescription for Schedule 4 poison— authorised optometrist | An authorised optometrist must not issue a prescription for a Schedule 4 poison unless— (a) the prescription is for the ocular treatment of a person other than the optometrist; and (b) that person is— (i) under the optometrist's care; and (ii) named in the prescription; and (c) the optometrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the optometrist has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued. | $19,210 | $19,759 |
| 23 Issuing prescription for Schedule 4 poison— authorised podiatrist | An authorised podiatrist must not issue a prescription for a Schedule 4 poison unless— (a) the prescription is for the podiatric treatment of a person other than the podiatrist; and (b) that person is— (i) under the podiatrist's care; and (ii) named in the prescription; and (c) the podiatrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the prescription is issued not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the podiatrist has taken all reasonable steps to ascertain the identity of the person for whose treatment the prescription is issued. | $19,210 | $19,759 |
| 24(1) Required form for issuing prescriptions | A person who issues a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison must write the prescription either— (a) in the person's own handwriting; or (b) in a manner of writing approved by the Secretary under regulation 162(1). | $9,605 | $9,879.50 |
| 24(1A) Required form for issuing prescriptions | A person who writes a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison must ensure that the prescription is written in a legible and durable form. | $9,605 | $9,879.50 |
| 24(2) Required form for issuing prescriptions | A person who writes a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison must sign the prescription. | $9,605 | $9,879.50 |
| 24(3) Required form for issuing prescriptions - | A person who writes a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison must include in the prescription the following information— (a) the name and address of, and a telephone number for, the person who wrote the prescription; (b) the following information for the person or animal for whom the prescription is issued— (i) in the case of a person, the person's name and address; (ii) in the case of an animal, the species, age, breed and sex of the animal, and the name and address of a person who owns or has custody or care of the animal; (c) the date on which the prescription was written; (d) full particulars of the poison to be supplied; (e) a statement of the quantity to be supplied; (f) directions for the precise dose or use and frequency of administration except in cases where— (i) because of the complexity of the dosage regimen or use it is impracticable to do so and the prescriber has separately supplied the patient with written instruction; or (ii) a variable dosage regimen is directed and a statement specifying a maximum frequency of administration is included; or (iii) the administration of the poison is to be carried out by a registered medical practitioner, veterinary practitioner, pharmacist, dentist, authorised optometrist, authorised podiatrist, nurse or registered midwife; (g) in the case of a Schedule 8 poison, a monitored poison or a Schedule 9 poison if the prescription is for a person and not an animal, that person's date of birth; (ga) in the case of a Schedule 8 poison or a Schedule 9 poison— (i) if the poison may be supplied only once, a statement, using words and not just figures, that there is to be no repeat supply; and (ii) a statement of quantity to be supplied, written in both words and figures; (h) subject to subregulations (4) and (5), the maximum number of times the poison may be supplied | $9,605 | $9,879.50 |
| 24(6) Required form for issuing prescriptions | A person who writes a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison must not include any information that the person knows is false or misleading | $9,605 | $9,879.50 |
| 24(7) Required form for issuing prescriptions | A person who writes a prescription for a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison must not write the prescription in a secret code or cipher. | $9,605 | $9,879.50 |
| 25(4) Emergency directions to pharmacists regarding supply | A registered medical practitioner, veterinary practitioner, dentist, nurse practitioner, an authorised midwife, an authorised optometrist or an authorised podiatrist who issues verbal instructions pursuant to subregulation (1), (2) or (3), as the case requires, must as soon as practicable— (a) write an instruction that indicates that it is in confirmation of the verbal instructions previously given; and (b) send that instruction to the pharmacist | $9,605 | $9,879.50 |
| 26(1) Notification of fraudulent obtaining of order or prescription | A registered medical practitioner, pharmacist, veterinary practitioner or dentist who suspects or has reason to believe that a person has obtained from the practitioner by means of a false pretence an order or prescription for a Schedule 9 poison, Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 26(2) Notification of fraudulent obtaining of order or prescription | A nurse practitioner or an authorised midwife who suspects or has reason to believe that a person has obtained from the practitioner or midwife by means of a false pretence an order or prescription for a Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 26(3) Notification of fraudulent obtaining of order or prescription | An authorised optometrist or authorised podiatrist who suspects or has reason to believe that a person has obtained from the optometrist or podiatrist by means of a false pretence an order or prescription for a Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 27(1) Veterinary practitioner order to supply stock food containing a Schedule 4 poison | A veterinary practitioner who issues an order to a stock food manufacturer to supply a stock food containing a Schedule 4 poison must ensure that the order is in writing and is legible and durable and includes the following— (a) the name, address and telephone number of the veterinary practitioner issuing the order; (b) the name and address of the person who owns or has custody or care of the animals and, if different, the consignment address; (c) the species, age, breed and sex of the animals; (d) the date on which the order was written and a date not more than 3 months later, when the order expires; (e) the signature (electronic or otherwise) of the veterinary practitioner issuing the order; (f) the name and address of the stock food manufacturer; (g) the name of the Schedule 4 poison that is to be used in the manufactured stock food; (h) the final concentration of the Schedule 4 poison that is to be in the manufactured stock food; (i) the quantity of the manufactured stock food required, to a maximum quantity for supply for 3 months; (j) directions for use; (k) the time at which the stock food manufacturer is to supply the manufactured stock food containing the Schedule 4 poison. | $19,210 | $19,759 |
| 27(2) Veterinary practitioner order to supply stock food containing a Schedule 4 poison | A veterinary practitioner who issues a written order under subregulation (1) must keep a record of the order for a period of 3 years. | $9,605 | $9,879.50 |
| 27(3) Veterinary practitioner order to supply stock food containing a Schedule 4 poison | A veterinary practitioner who issues a written order under subregulation (1) must produce it to an authorized officer on a demand made by that officer no more than 3 years after the order was issued. | $9,605 | $9,879.50 |
| 28(1) Persons authorised to write chart instruction on hospital medication chart | A person other than a registered medical practitioner, dentist, nurse practitioner, authorised midwife, authorised optometrist or authorised podiatrist must not write a chart instruction on a hospital medication chart for a Schedule 4 poison. | $19,210 | $19,759 |
| 28(2) Persons authorised to write chart instruction on hospital medication chart | A person other than a registered medical practitioner, dentist, nurse practitioner or authorised midwife must not write a chart instruction on a hospital medication chart for a Schedule 8 poison. | $19,210 | $19,759 |
| 29(1) Persons authorised to write chart instruction on residential medication chart | A person other than a registered medical practitioner, dentist, nurse practitioner, an authorised optometrist or an authorised podiatrist must not write a chart instruction on a residential medication chart for a Schedule 4 poison. | $19,210 | $19,759 |
| 29(1A) Persons authorised to write chart instruction on residential medication chart | A person other than a registered medical practitioner, dentist or nurse practitioner must not write a chart instruction on a residential medication chart for a Schedule 8 poison | $19,210 | $19,759 |
| 30 When registered medical practitioner may write chart instruction on hospital medication chart | A registered medical practitioner must not write a chart instruction for a Schedule 4 poison or Schedule 8 poison on a hospital medication chart unless— (a) the instruction is for the medical treatment of a person other than the practitioner; and (b) that person is— (i) under the practitioner's care; and (ii) named in the instruction; and (c) the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given. | $19,210 | $19,759 |
| 30A When registered medical practitioner may write chart instruction on residential medication chart | A registered medical practitioner must not write a chart instruction on a residential medication chart unless— (a) in the case of a Schedule 4 poison or a Schedule 8 poison— (i) the instruction is for the medical treatment of a person other than the practitioner; and (ii) that person is— (A) under the practitioner's care; and (B) named in the instruction; and (iii) the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (iv) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (b) in the case of a Schedule 4 poison that is a drug of dependence, or a Schedule 8 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given; and (c) in the case of a Schedule 8 poison, the residential medication chart is an electronic medication chart. | $19,210 | $19,759 |
| 31(1) When dentist may write chart instruction on hospital medication chart | A dentist must not write a chart instruction for methadone on a hospital medication chart. | $19,210 | $19,759 |
| 31(2) When dentist may write chart instruction on hospital medication chart | A dentist must not write a chart instruction for a Schedule 4 poison or Schedule 8 poison on a hospital medication chart unless— (a) the instruction is for the dental treatment of a person other than the dentist; and (b) that person is— (i) under the dentist's care; and (ii) named in the instruction; and (c) the dentist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the dentist has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given | $19,210 | $19,759 |
| 31A(1) When dentist may write chart instruction on residential medication chart | A dentist must not write a chart instruction for methadone on a residential medication chart. | $19,210 | $19,759 |
| 31A(2) When dentist may write chart instruction on residential medication chart | A dentist must not write a chart instruction on a residential medication chart unless— (a) in the case of a Schedule 4 poison or a Schedule 8 poison— (i) the instruction is for the dental treatment of a person other than the dentist; and (ii) that person is— (A) under the dentist's care; and (B) named in the instruction; and (iii) the dentist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (iv) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (b) in the case of a Schedule 4 poison that is a drug of dependence, or a Schedule 8 poison, the dentist has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given; and (c) in the case of a Schedule 8 poison, the residential medication chart is an electronic medication chart. | $19,210 | $19,759 |
| 32 When nurse practitioner may write chart instruction on hospital medication chart | A nurse practitioner must not write a chart instruction for a Schedule 4 poison or Schedule 8 poison on a hospital medication chart unless— (a) the instruction is for the treatment of a person other than the nurse practitioner; and (b) that person is— (i) under the nurse practitioner's care; and (ii) named in the instruction; and (c) the nurse practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the nurse practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given. | $19,210 | $19,759 |
| 32A When nurse practitioner may write chart instruction on residential medication chart | A nurse practitioner must not write a chart instruction on a residential medication chart unless— (a) in the case of a Schedule 4 poison or a Schedule 8 poison— (i) the instruction is for the treatment of a person other than the nurse practitioner; and (ii) that person is— (A) under the nurse practitioner's care; and (B) named in the instruction; and (iii) the nurse practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (iv) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (b) in the case of a Schedule 4 poison that is a drug of dependence, or a Schedule 8 poison, the nurse practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given; and (c) in the case of a Schedule 8 poison, the residential medication chart is an electronic medication chart. | $19,210 | $19,759 |
| 33 When authorised midwife may write chart instruction | An authorised midwife must not write a chart instruction for a Schedule 4 poison or Schedule 8 poison on a hospital medication chart unless— (a) the instruction is for the midwifery treatment of a person other than the midwife; and (b) that person is— (i) under the midwife's care; and (ii) named in the instruction; and (c) the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the midwife has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given. | $19,210 | $19,759 |
| 34 When authorised optometrist may write chart instruction | An authorised optometrist must not write a chart instruction for a Schedule 4 poison on a hospital medication chart or residential medication chart unless— (a) the instruction is for the ocular treatment of a person other than the optometrist; and (b) that person is— (i) under the optometrist's care; and (ii) named in the instruction; and (c) the optometrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the optometrist has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given. | $19,210 | $19,759 |
| 35 When authorised podiatrist may write chart instruction | An authorised podiatrist must not write a chart instruction for a Schedule 4 poison on a hospital medication chart or residential medication chart unless— (a) the instruction is for the podiatric treatment of a person other than the podiatrist; and (b) that person is— (i) under the podiatrist's care; and (ii) named in the instruction; and (c) the podiatrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the instruction is given not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the podiatrist has taken all reasonable steps to ascertain the identity of the person for whose treatment the instruction is given. | $19,210 | $19,759 |
| 36 Sale or supply of Schedule 4, 8 or 9 poison— registered medical practitioner | A registered medical practitioner must not sell or supply a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) that sale or supply is for medical treatment of a person— (i) under the practitioner's care; and (ii) to whom the poison is sold or supplied; and (b) the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (c) the poison is sold or supplied not merely for the purpose of supporting the drug dependence of a person; and (d) if the poison is a drug of dependence or a Schedule 8 poison or a Schedule 9 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person for whose treatment the poison is sold or supplied; and (e) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the practitioner holds a special Schedule 8 permit that authorises that sale or supply; and (f) in the case of a Schedule 9 poison, the practitioner holds a general Schedule 9 permit, or a Schedule 9 permit, that authorises that sale or supply. | $19,210 | $19,759 |
| 37(1) Sale or supply of Schedule 4, 8 or 9 poison—dentist | A dentist must not sell or supply— (a) an ovulatory stimulant; or (b) a prostaglandin; or (c) a retinoid; or (d) thalidomide; or (e) methadone. | $19,210 | $19,759 |
| 37(2) Sale or supply of Schedule 4, 8 or 9 poison—dentist | A dentist must not sell or supply a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) that sale or supply is for dental treatment of a person— (i) under the dentist's care; and (ii) to whom the poison is sold or supplied; and (b) the dentist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (c) the poison is sold or supplied not merely for the purpose of supporting the drug dependence of a person; and (d) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison the dentist has taken all reasonable steps to ascertain the identity of the person for whose treatment the poison is sold or supplied; and (e) in the case of a Schedule 9 poison, the dentist holds a general Schedule 9 permit that authorises that sale or supply | $19,210 | $19,759 |
| 38 Sale or supply of Schedule 4, 8 or 9 poison— veterinary practitioner | A veterinary practitioner must not sell or supply a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) that sale or supply is for treatment of an animal under the veterinary practitioner's care; and (b) the animal is owned by, or is in the custody or care of, the person to whom the poison is sold or supplied; and (c) the veterinary practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) if the poison is a drug of dependence, Schedule 8 poison or Schedule 9 poison, the veterinary practitioner has taken all reasonable steps to ascertain the identity of the person who owns or has custody or care of the animal for whose treatment the poison is sold or supplied; and (e) in the case of a Schedule 9 poison, the veterinary practitioner holds a general Schedule 9 permit that authorises that sale or supply. | $19,210 | $19,759 |
| 39 Sale or supply of Schedule 4 or 8 poison—nurse practitioner or authorised registered nurse | A nurse practitioner or authorised registered nurse must not sell or supply a Schedule 4 poison or Schedule 8 poison unless— (a) that sale or supply is for treatment that is— (i) treatment of a person under the practitioner or nurse's care; and (ii) treatment of the person to whom the poison is sold or supplied; and (b) the practitioner or nurse has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (c) the poison is sold or supplied not merely for the purpose of supporting the drug dependence of a person; and (d) if the poison is a drug of dependence or a Schedule 8 poison, the practitioner or nurse has taken all reasonable steps to ascertain the identity of the person for whose treatment the poison is sold or supplied; and (e) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the nurse practitioner holds a special Schedule 8 permit that authorises the sale or supply. | $19,210 | $19,759 |
| 39A(2) - Sale or supply of Schedule 4 or 8 poison—approved registered nurse | An approved registered nurse must not sell or supply a Schedule 4 poison or Schedule 8 poison other than in accordance with subregulation (1) | $19,210 | $19,759 |
| 40 Sale or supply of Schedule 4 or 8 poison— authorised midwife | An authorised midwife must not sell or supply a Schedule 4 poison or Schedule 8 poison unless— (a) that sale or supply is for the midwifery treatment of a person under the midwife's care; and (b) that sale or supply is for the treatment of the person to whom the poison is sold or supplied; and (c) the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the poison is sold or supplied not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the midwife has taken all reasonable steps to ascertain the identity of the person for whose treatment the poison is sold or supplied. | $19,210 | $19,759 |
| 40A(2) Sale or supply of Schedule 4 or 8 poison—approved registered midwife | An approved registered midwife must not sell or supply a Schedule 4 poison or Schedule 8 poison other than in accordance with subregulation (1). | $19,210 | $19,759 |
| 41 Sale or supply of Schedule 4 poison—authorised optometrist | An authorised optometrist must not sell or supply a Schedule 4 poison unless— (a) that sale or supply is for the ocular treatment of a person under the optometrist's care; and (b) that sale or supply is for the treatment of the person to whom the poison is sold or supplied; and (c) the optometrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the poison is sold or supplied not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the optometrist has taken all reasonable steps to ascertain the identity of the person for whose treatment the poison is sold or supplied. | $19,210 | $19,759 |
| 42 Sale or supply of Schedule 4 poison—authorised podiatrist | An authorised podiatrist must not sell or supply a Schedule 4 poison unless— (a) that sale or supply is for the podiatric treatment of a person under the podiatrist's care; and (b) that sale or supply is for the treatment of the person to whom the poison is sold or supplied; and (c) the podiatrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the poison is sold or supplied not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the podiatrist has taken all reasonable steps to ascertain the identity of the person for whose treatment the poison is sold or supplied. | $19,210 | $19,759 |
| 43(1) Poison not to be sold or supplied unless supplementary labelling requirements complied with | A person must not sell or supply a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison in accordance with this Part unless the container in which the poison is packed complies with the supplementary labelling requirements. | $3,846 | $3,951.80 |
| 44(1) Notification of fraudulent obtaining of poison | A registered medical practitioner, veterinary practitioner or dentist who suspects or has reason to believe that a person has obtained from the practitioner by means of a false pretence a Schedule 9 poison, Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 44(2) Notification of fraudulent obtaining of poison | A nurse practitioner or an authorised midwife who suspects or has reason to believe that a person has obtained from the practitioner or midwife by means of a false pretence a Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 44(3) Notification of fraudulent obtaining of poison | An authorised optometrist or authorised podiatrist who suspects or has reason to believe that a person has obtained from the optometrist or podiatrist by means of a false pretence a Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 44(4) Notification of fraudulent obtaining of poison | An authorised registered nurse who suspects or has reason to believe that a person has obtained from the nurse by means of a false pretence a Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 44(5) Notification of fraudulent obtaining of poison | An approved registered nurse or approved registered midwife who suspects or has reason to believe that a person has obtained from the nurse or midwife by means of a false pretence a Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 45(1) Sale or supply of drug of dependence by pharmacist other than by wholesale or on prescription or chart instruction | A pharmacist must not supply a drug of dependence (other than by wholesale or on a prescription or a chart instruction) unless— (a) the pharmacist has taken all reasonable steps to— (i) ascertain the identity of the person to or for whom it is proposed to supply the drug of dependence; and (ii) ensure a therapeutic need for the drug of dependence exists; and (b) the supply is only for the therapeutic use of the drug of dependence by the person to or for whom it is proposed to supply the drug of dependence | $19,210 | $19,759 |
| 45(2) Sale or supply of drug of dependence by pharmacist other than by wholesale or on prescription or chart instruction | A pharmacist must not supply a drug of dependence for an animal (other than by wholesale or on a prescription) unless— (a) the pharmacist has taken all reasonable steps to ensure a therapeutic need for the drug of dependence exists; and (b) the supply is only for the therapeutic use of the drug of dependence for that animal. | $19,210 | $19,759 |
| 47(1) Sale or supply of Schedule 4 poison by pharmacist | A pharmacist must not sell or supply a Schedule 4 poison unless that sale or supply is— (a) subject to regulation 50, sale or supply— (i) on an original prescription of a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner, authorised midwife, authorised optometrist or authorised podiatrist; or (ii) if the original prescription is required to be submitted to a public authority by any Act of a State or Territory or the Commonwealth, on a copy of a prescription referred to in subparagraph (i) certified by, or accompanied by a certification from, a pharmacist who has previously received the prescription; or (b) sale or supply in accordance with a verbal instruction given under regulation 25(1), (2) or (3); or (c) subject to regulation 54, sale or supply to a patient in or at a hospital or day procedure centre in accordance with a chart instruction given on a hospital medication chart; or (d) subject to regulation 55, sale or supply to a resident in accordance with a chart instruction given on a residential medication chart; or (e) subject to regulation 56, sale or supply in an emergency in which the pharmacist considers it necessary to ensure continuity of treatment; or (f) subject to regulation 57, sale or supply in circumstances where the pharmacist considers it necessary to ensure continuity of treatment; or (g) sale or supply in accordance with an order of— (i) a registered medical practitioner; or (ii) a veterinary practitioner; or (iii) a dentist; or (iv) a nurse practitioner; or (v) an authorised registered nurse; or (vi) an approved registered nurse; or (vii) an authorised midwife; or (viii) an approved registered midwife; or (ix) an authorised optometrist; or (x) an authorised podiatrist; or (h) sale or supply on the order of a person holding a permit for the poison; or (i) sale or supply to a person referred to in Column 1 of Part 2 of the Table in regulation 7 to the extent and for the purpose referred to in Column 2 of that Part of that Table. | $19,210 | $19,759 |
| 48(1) Sale or supply of Schedule 8 poison by pharmacist | A pharmacist must not sell or supply a Schedule 8 poison unless that sale or supply is— (a) subject to regulation 51, sale or supply— (i) on an original prescription of a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner or authorised midwife; or (ii) if the original prescription is required to be submitted to a public authority by any Act of a State or Territory or the Commonwealth, on a copy of a prescription referred to in subparagraph (i) certified by, or accompanied by a certification from, a pharmacist who has previously received the prescription; or (b) sale or supply in accordance with a verbal instruction given under regulation 25(1) or (2); or (c) subject to regulation 54, sale or supply to a patient in or at a hospital or day procedure centre in accordance with a chart instruction given on a hospital medication chart; or (ca) subject to regulation 55A, sale or supply to a resident in accordance with a chart instruction given on a residential medication chart that is an electronic medication chart; or (d) sale or supply in accordance with an order of— (i) a registered medical practitioner; or (ii) a veterinary practitioner; or (iii) a dentist; or (iv) a nurse practitioner; or (v) an authorised registered nurse; or (vi) an approved registered nurse; or (vii) an authorised midwife; or (viii) an approved registered midwife; or (e) sale or supply on the order of a person holding a permit for the poison; or (f) sale or supply to a person referred to in Column 1 of Part 2 of the Table in regulation 7 to the extent referred to in Column 2 of that Part of that Table. | $19,210 | $19,759 |
| 49(1) Sale or supply of Schedule 9 poison by pharmacist | A pharmacist must not sell or supply a Schedule 9 poison unless— (a) the sale or supply is in accordance with an instruction from a registered medical practitioner who holds a Schedule 9 permit in which the Schedule 9 poison is specified; or (b) the sale or supply is in accordance with an instruction from a dentist or veterinary practitioner who holds a general Schedule 9 permit in which the Schedule 9 poison is specified; or (c) subject to regulation 52, the sale or supply is in accordance with an original prescription of— (i) a registered medical practitioner who holds a Schedule 9 permit in which the Schedule 9 poison is specified; or (ii) a veterinary practitioner or dentist who holds a general Schedule 9 permit in which the Schedule 9 poison is specified | $19,210 | $19,759 |
| 58(1) Poison not to be sold or supplied unless supplementary labelling requirements complied with | A pharmacist must not sell or supply a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison in accordance with this Part unless the container in which the poison is packed complies with the supplementary labelling requirements. | $3,846 | $3,951.80 |
| 60(1) Pharmacist must mark prescription | A pharmacist who supplies a Schedule 4 poison or Schedule 8 poison on a prescription or a copy of a prescription must ensure that the prescription or copy is marked in a durable form in a way that indicates— (a) that the poison has been supplied; and (b) the date of the making of a record of the supply as required by Part 13; and (c) the premises from which the poison was supplied. | $9,605 | $9,879.50 |
| 60(2) Pharmacist must mark prescription | A pharmacist who supplies a Schedule 9 poison on a prescription must ensure that the prescription is marked in a durable form in a way that indicates— (a) that the poison has been supplied; and (b) the date of the making of a record of the supply as required by Part 13; and (c) the premises from which the poison was supplied. | $9,605 | $9,879.50 |
| 61 Pharmacist must mark hospital medication chart after supplying Schedule 4 or 8 poison on chart instruction | A pharmacist who supplies a Schedule 4 poison or Schedule 8 poison on a chart instruction given on a hospital medication chart must ensure that the chart is marked durably in a way that indicates— (a) that the poison has been supplied; and (b) the date of the making of a record of the supply as required by Part 13; and (c) the premises from which the poison was supplied. | $9,605 | $9,879.50 |
| 62 Pharmacist must mark residential medication chart after supplying Schedule 4 or 8 poison on chart instruction | A pharmacist who supplies a Schedule 4 poison or Schedule 8 poison on a chart instruction given on a residential medication chart must ensure that the chart is marked durably in a way that indicates— (a) that the poison has been supplied; and (b) the date of the making of a record of the supply as required by Part 13; and (c) the premises from which the poison was supplied. | $9,605 | $9,879.50 |
| 63 Pharmacist must retain prescription for Schedule 8 poison when supplying without verifying the prescriber | A pharmacist who supplies a Schedule 8 poison in a quantity that allows for not more than 2 days' treatment must retain the prescription if the pharmacist— (a) does not recognise the handwriting in which the prescription is written as being the purported prescriber's handwriting; and (b) after taking reasonable steps, cannot verify that the prescription was written by the purported prescriber. | $19,210 | $19,759 |
| 64(2) Pharmacist must retain or further mark prescriptions for Schedule 8 poisons | If the prescription, copy or order does not authorise any further quantity of the Schedule 8 poison, the pharmacist must— (a) retain, in a manner that maintains its integrity— (i) the prescription, copy or order; or (ii) if the pharmacist is required, by an Act of a State, a Territory or the Commonwealth, to submit the prescription, copy or order to a public authority, a legible copy of it; or (b) if there are other poisons or controlled substances that may still be legally supplied on the prescription, copy or order, ensure that it is durably marked in such a way that it can be clearly seen that further supplies of the Schedule 8 poison are not allowed. | $9,605 | $9,879.50 |
| 65 Pharmacist must retain or further mark prescriptions for Schedule 9 poisons | If a pharmacist supplies a Schedule 9 poison on a prescription or order of a registered medical practitioner, veterinary practitioner or dentist and the prescription or order does not authorise any further quantity of the Schedule 9 poison, the pharmacist must— (a) retain the prescription or order in a manner that maintains its integrity; or (b) if there are other poisons or controlled substances that may still be legally supplied on the prescription or order, ensure that it is durably marked in such a way that it can be clearly seen that further supplies of the Schedule 9 poison are not allowed. | $9,605 | $9,879.50 |
| 66(1) Manner of retention of prescriptions retained after last supply is made | A pharmacist who retains a prescription, a copy of a prescription, or an order under regulation 64(2)(a) or 65 must retain it— (a) on a file kept solely for the purpose of retaining prescriptions, copies or orders; and (b) for a period of 3 years from the date of the supply in respect of which it is required to be retained. | $9,605 | $9,879.50 |
| 66(2) Manner of retention of prescriptions retained after last supply is made | A pharmacist must produce a prescription, a copy of a prescription, or an order referred to in subregulation (1) on demand to an authorized officer. | $9,605 | $9,879.50 |
| 67 Pharmacist must produce prescriptions kept under Commonwealth Regulations | A pharmacist who is required by the Commonwealth Regulations to retain a prescription for a Schedule 4 poison must produce the prescription on demand to an authorized officer | $9,605 | $9,879.50 |
| 68 Pharmacist must notify prescriber if prescription departed from | A pharmacist who sells or supplies a Schedule 4 poison or Schedule 8 poison on a prescription or a copy of a prescription but contrary to the instructions written on the prescription in the exceptional circumstances set out in regulation 53(b) or (c) must— (a) inform the prescriber about the sale or supply as soon as practicable after the poison is sold or supplied; and (b) make a record to confirm that the exceptional circumstances in regulation 53(b) or (c) existed in relation to that supply. | $19,210 | $19,759 |
| 69 Notification of fraudulent obtaining of poison | A pharmacist who suspects or has reason to believe that a person has obtained or attempted to obtain from the pharmacist by means of a false pretence a Schedule 9 poison, Schedule 8 poison or Schedule 4 poison must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 70(2) Pharmacist must notify different authorised prescribers of similar supply of certain Schedule 4 or 8 poisons | If a pharmacist who is presented with the prescription or copy has reason to believe that the patient was supplied in the last 8 weeks with the same specified poison, or a similar poison or controlled substance, on a prescription or copy written by a different prescriber, the pharmacist must, as soon as practicable after being presented with the prescription or copy, take all reasonable steps to inform the person who wrote the current prescription of that previous supply unless the pharmacist has reason to believe that person is already aware. | $9,605 | $9,879.50 |
| 70(3) Pharmacist must notify different authorised prescribers of similar supply of certain Schedule 4 or 8 poisons | If a pharmacist who is presented with the prescription or copy is at that time also presented with another prescription or copy for the treatment of the patient with the same specified poison, or a similar poison or controlled substance, and that other prescription or copy is written by a different prescriber, the pharmacist must, as soon as practicable after being presented with the prescription, take all reasonable steps to inform the persons who wrote each prescription of the presentation of both prescriptions unless the pharmacist has reason to believe each of those persons is already aware. | $9,605 | $9,879.50 |
| 71(2) Pharmacist must notify different authorised prescribers of similar supply—Schedule 9 poisons | If a pharmacist who is presented with the prescription has reason to believe that the patient was supplied in the last 8 weeks with the same specified poison, or a similar poison or controlled substance, on a prescription written by a different prescriber, the pharmacist must, as soon as practicable after being presented with the prescription, take all reasonable steps to inform the person who wrote the current prescription of that previous supply unless the pharmacist has reason to believe that person is already aware | $9,605 | $9,879.50 |
| 71(3) Pharmacist must notify different authorised prescribers of similar supply—Schedule 9 poisons | If a pharmacist who is presented with the prescription is at that time also presented with another prescription for the treatment of the patient with the same specified poison, or a similar poison or controlled substance, and that other prescription is written by a different prescriber, the pharmacist must, as soon as practicable after being presented with the prescription, take all reasonable steps to inform the persons who wrote each prescription of the presentation of both prescriptions unless the pharmacist has reason to believe each of those persons is already aware. | $9,605 | $9,879.50 |
| 73(2) General security requirement—Schedule 4 poisons | A person to whom this regulation applies must store in a lockable storage facility any Schedule 4 poisons that the person possesses (other than in accordance with items 5, 8, 9 or 10 in Part 1 of the Table in regulation 7). | $19,210 | $19,759 |
| 73(3) General security requirement—Schedule 4 poisons | A person to whom this regulation applies must take all reasonable steps to ensure that the storage facility referred to in subregulation (2) remains locked and secured to prevent access by a person not authorised by the Act or these Regulations at all times, except— (a) when it is necessary to open it to carry out an essential operation in connection with the poisons stored in it; or (b) in the case of poisons stored in accordance with subregulation (4)(a) or (b), when any of the following is present— (i) a registered medical practitioner; (ii) a veterinary practitioner; (iii) a dentist; (iv) a nurse practitioner; (v) a nurse who is authorised under regulation 8(1)(a); (vi) an authorised registered nurse; (vii) an approved registered nurse; (viii) a midwife who is authorised under regulation 8(1)(a); (ix) an authorised midwife; (x) an approved registered midwife; (xi) an authorised optometrist; (xii) an authorised podiatrist; (xiii) a pharmacist | $19,210 | $19,759 |
| 74(4) Storage of Schedule 8 and 9 poisons and drugs of dependence | For the purpose of preventing unauthorised access to Schedule 8 poisons and Schedule 9 poisons, a person to whom this regulation applies must take all reasonable steps to ensure that the storage facility remains locked and secured at all times, except when it is necessary to open it to carry out an essential operation in connection with the poisons stored in it | $19,210 | $19,759 |
| 74(5) Storage of Schedule 8 and 9 poisons and drugs of dependence | A person to whom this regulation applies must take all reasonable steps to ensure that the storage facility referred to in subregulation (2) is used only for the storage of Schedule 8 poisons, Schedule 9 poisons and drugs of dependence. | $19,210 | $19,759 |
| 74(6) Storage of Schedule 8 and 9 poisons and drugs of dependence | A person to whom this regulation applies must keep each Schedule 8 poison or Schedule 9 poison that— (a) the person possesses (other than in accordance with items 6, 7, 8 or 9 in Part 1 of the Table in regulation 7); and (b) is being transported for use in another place— in a locked storage facility which is secured to prevent unauthorised access to those poisons. | $19,210 | $19,759 |
| 75(2) Storage requirements for aged care providers and other authorised persons | A person to whom this regulation applies must store each Schedule 4 poison that the person possesses as described in subregulation (1) in a lockable storage facility | $19,210 | $19,759 |
| 75(3) Storage requirements for aged care providers and other authorised persons | A person to whom this regulation applies must store each Schedule 8 poison that the person possesses as described in subregulation (1) in a lockable room or in a lockable storage facility which is firmly fixed to a floor or wall | $19,210 | $19,759 |
| 75(4) Storage requirements for aged care providers and other authorised persons | For the purpose of preventing unauthorised access to Schedule 4 poisons and Schedule 8 poisons, a person to whom this regulation applies must take all reasonable steps to ensure that the storage facilities for Schedule 4 poisons and Schedule 8 poisons remain locked and secured at all times, except when it is necessary to open them to carry out an essential operation in connection with the poisons stored in them | $19,210 | $19,759 |
| 76(3) Additional security provisions required in certain circumstances | A person who is directed by the Secretary to provide more secure storage under subregulation (1)(a) must provide that secure storage. | $19,210 | $19,759 |
| 77(1) Persons who may authorise administration | A person other than a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner, authorised midwife, authorised optometrist or authorised podiatrist must not authorise the administration of a Schedule 4 poison | $19,210 | $19,759 |
| 77(2) Persons who may authorise administration | A person other than a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner or authorised midwife must not authorise the administration of a Schedule 8 poison. | $19,210 | $19,759 |
| 77(3) Persons who may authorise administration | A person other than a registered medical practitioner, veterinary practitioner or dentist must not authorise the administration of a Schedule 9 poison. | $19,210 | $19,759 |
| 78 Authorising administration of Schedule 4, 8 or 9 poison—registered medical practitioner | A registered medical practitioner must not authorise the administration of a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the administration is for the medical treatment of a person other than the practitioner; and (b) that person is under the practitioner's care; and (c) the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the administration is authorised not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered; and (f) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the practitioner holds a special Schedule 8 permit that authorises the giving of the authorisation; and (g) in the case of a Schedule 9 poison, the practitioner holds a general Schedule 9 permit, or a Schedule 9 permit, that authorises the giving of the authorisation. | $19,210 | $19,759 |
| 79(1) Authorising administration of Schedule 4, 8 or 9 poison—dentist | A dentist must not authorise the administration of methadone | $19,210 | $19,759 |
| 79(2) Authorising administration of Schedule 4, 8 or 9 poison—dentist | A dentist must not authorise the administration of a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the administration is for the dental treatment of a person other than the dentist; and (b) that person is under the dentist's care; and (c) the dentist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the administration is authorised not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the dentist has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered; and (f) in the case of a Schedule 9 poison, the dentist holds a general Schedule 9 permit that authorises the giving of the authorisation. | $19,210 | $19,759 |
| 80 Authorising administration of Schedule 4 or 8 poison—nurse practitioner | A nurse practitioner must not authorise the administration of a Schedule 4 poison or Schedule 8 poison unless— (a) the administration is for the treatment of a person other than the nurse practitioner; and (b) that person is under the nurse practitioner's care; and (c) the nurse practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the administration is authorised not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the nurse practitioner has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered; and (f) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the nurse practitioner holds a special Schedule 8 permit that authorises the giving of the authorisation. | $19,210 | $19,759 |
| 81 Authorising administration of Schedule 4 or 8 poison—authorised midwife | An authorised midwife must not authorise the administration of a Schedule 4 poison or Schedule 8 poison unless— (a) the administration is for the midwifery treatment of a person other than the midwife; and (b) that person is under the midwife's care; and (c) the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the administration is authorised not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence or a Schedule 8 poison, the midwife has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered | $19,210 | $19,759 |
| 82 Authorising administration of Schedule 4 poison— authorised optometrist | An authorised optometrist must not authorise the administration of a Schedule 4 poison unless— (a) the administration is for the ocular treatment of a person other than the optometrist; and (b) that person is under the optometrist's care; and (c) the optometrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the administration is authorised not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the optometrist has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered. | $19,210 | $19,759 |
| 83 Authorising administration of Schedule 4 poison— authorised podiatrist | An authorised podiatrist must not authorise the administration of a Schedule 4 poison unless— (a) the administration is for the podiatric treatment of a person other than the podiatrist; and (b) that person is under the podiatrist's care; and (c) the podiatrist has taken all reasonable steps to ensure a therapeutic need exists for that poison; and (d) the administration is authorised not merely for the purpose of supporting the drug dependence of a person; and (e) if the poison is a drug of dependence, the podiatrist has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered. | $19,210 | $19,759 |
| 84(1) How registered medical practitioner or dentist must authorise administration of Schedule 4, 8 or 9 poison | A registered medical practitioner or dentist who authorises the administration of a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison to a person— (a) may, if the registered medical practitioner or dentist is of the opinion that an emergency exists, give that authorisation verbally to a nurse, registered midwife or pharmacist; and (b) otherwise, must— (i) provide that authorisation in writing in a legible and durable form that names the person to whom the poison is to be administered; and (ii) date and confirm that authorisation with the practitioner or dentist's signature. | $19,210 | $19,759 |
| 84(2) How registered medical practitioner or dentist must authorise administration of Schedule 4, 8 or 9 poison | A registered medical practitioner or dentist who gives an authorisation verbally as described in subregulation (1)(a), must as soon as practicable— (a) confirm that verbal authorisation in writing; and (b) include the written confirmation of the verbal authorisation, or provide it for inclusion, in the treatment records of the person concerned. | $19,210 | $19,759 |
| 85(1) How nurse practitioner or authorised midwife must authorise administration of Schedule 4 or 8 poison | A nurse practitioner or an authorised midwife who authorises the administration of a Schedule 4 poison or Schedule 8 poison to a person— (a) may, if the nurse practitioner or authorised midwife is of the opinion that an emergency exists, give that authorisation verbally to a nurse, registered midwife or pharmacist; and (b) otherwise, must— (i) provide that authorisation in writing in a legible and durable form that names the person to whom the poison is to be administered; and (ii) date and confirm that authorisation with nurse practitioner or authorised midwife's signature. | $19,210 | $19,759 |
| 85(2) How nurse practitioner or authorised midwife must authorise administration of Schedule 4 or 8 poison | A nurse practitioner or authorised midwife who gives an authorisation verbally as described in subregulation (1)(a), must as soon as practicable— (a) confirm that verbal authorisation in writing; and (b) include the written confirmation of the verbal authorisation, or provide it for inclusion, in the treatment records of the person concerned. | $19,210 | $19,759 |
| 86(1) How authorised optometrist or authorised podiatrist must authorise administration of Schedule 4 poison | An authorised optometrist or authorised podiatrist who authorises the administration of a Schedule 4 poison to a person— (a) may, if the authorised optometrist or an authorised podiatrist is of the opinion that an emergency exists, give that authorisation verbally to a nurse, registered midwife or pharmacist; and (b) otherwise, must— (i) provide that authorisation in writing in a legible and durable form that names the person to whom the poison is to be administered; and (ii) date and confirm that authorisation with the authorised optometrist or authorised podiatrist's signature. | $19,210 | $19,759 |
| 86(2) How authorised optometrist or authorised podiatrist must authorise administration of Schedule 4 poison | An authorised optometrist or an authorised podiatrist who gives an authorisation verbally as described in subregulation (1)(a), must as soon as practicable— (a) confirm that verbal authorisation in writing; and (b) include the written confirmation of the verbal authorisation, or provide it for inclusion, in the treatment records of the person concerned. | $19,210 | $19,759 |
| 88 Administration of Schedule 4, 8 or 9 poison— registered medical practitioner | A registered medical practitioner must not administer a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the poison is administered for the treatment of a person other than the practitioner; and (b) the poison is for the medical treatment of a person under the practitioner's care; and (c) the practitioner has taken all reasonable steps to ensure a therapeutic need exists for the poison; and (d) if the poison was supplied for the treatment of a specific person, the administration is for the treatment of that person; and (e) the poison is administered not merely for the purpose of supporting the drug dependence of a person; and (f) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the practitioner has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered; and (g) in the case of a Schedule 8 poison, if, under regulation 10, a special Schedule 8 permit is required, the practitioner holds a special Schedule 8 permit that authorises the administration; and (h) in the case of a Schedule 9 poison, the practitioner holds a Schedule 9 permit, that authorises the administration. | $19,210 | $19,759 |
| 89(1) Administration of Schedule 4, 8 or 9 poison—dentist | A dentist must not administer methadone. | $19,210 | $19,759 |
| 89(2) Administration of Schedule 4, 8 or 9 poison—dentist | A dentist must not administer a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the poison is administered for the treatment of a person other than the dentist; and (b) the poison is for the dental treatment of a person under the dentist's care; and (c) the dentist has taken all reasonable steps to ensure a therapeutic need exists for the poison; and (d) if the poison was supplied for the treatment of a specific person, the administration is for the treatment of that person; and (e) the poison is administered not merely for the purpose of supporting the drug dependence of a person; and (f) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the dentist has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered; and (g) in the case of a Schedule 9 poison, the dentist holds a general Schedule 9 permit that authorises the administration. | $19,210 | $19,759 |
| 90 Administration of Schedule 4, 8 or 9 poison— veterinary practitioner | A veterinary practitioner must not administer a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison unless— (a) the poison is for the treatment of an animal under the veterinary practitioner's care; and (b) the veterinary practitioner has taken all reasonable steps to ensure a therapeutic need exists for the poison; and (c) if the poison was supplied for the treatment of a specific animal, the administration is for the treatment of that animal; and (d) if the poison is a drug of dependence, a Schedule 8 poison or a Schedule 9 poison, the veterinary practitioner has taken all reasonable steps to ascertain the identity of the person who owns or has custody or care of the animal for whose treatment the poison is administered; and (e) in the case of a Schedule 9 poison, the veterinary practitioner holds a general Schedule 9 permit that authorises the administration. | $19,210 | $19,759 |
| 91(1) Administration of Schedule 4, 8 or 9 poison—nurse practitioner | A nurse practitioner must not administer a Schedule 4 poison other than in accordance with subregulation (3) or regulation 96(3). | $19,210 | $19,759 |
| 91(2) Administration of Schedule 4, 8 or 9 poison—nurse practitioner | A nurse practitioner must not administer a Schedule 8 poison other than in accordance with subregulation (3) or regulation 97(3). | $19,210 | $19,759 |
| 91(4) Administration of Schedule 4, 8 or 9 poison—nurse practitioner | A nurse practitioner must not administer a Schedule 9 poison other than in accordance with regulation 98(3). | $19,210 | $19,759 |
| 92(1) Administration of Schedule 4, 8 or 9 poison— authorised registered nurse | An authorised registered nurse must not administer a Schedule 4 poison other than in accordance with subregulation (3) or regulation 96(3). | $19,210 | $19,759 |
| 92(2) Administration of Schedule 4, 8 or 9 poison— authorised registered nurse | An authorised registered nurse must not administer a Schedule 8 poison other than in accordance with subregulation (3) or regulation 97(3) | $19,210 | $19,759 |
| 92(3) Administration of Schedule 4, 8 or 9 poison— authorised registered nurse | An authorised registered nurse must not administer a Schedule 9 poison other than in accordance with regulation 98(3). | $19,210 | $19,759 |
| 92A(1) Administration of Schedule 4, 8 or 9 poison— approved registered nurse | An approved registered nurse must not administer a Schedule 4 poison other than in accordance with subregulation (3) or regulation 96(3). | $19,210 | $19,759 |
| 92A(2) Administration of Schedule 4, 8 or 9 poison— approved registered nurse | An approved registered nurse must not administer a Schedule 8 poison other than in accordance with subregulation (3) or regulation 97(3). | $19,210 | $19,759 |
| 92A(4) Administration of Schedule 4, 8 or 9 poison— approved registered nurse | An approved registered nurse must not administer a Schedule 9 poison other than in accordance with regulation 98(3). | $19,210 | $19,759 |
| 93(1) Administration of Schedule 4, 8 or 9 poison— authorised midwife | An authorised midwife must not administer a Schedule 4 poison other than in accordance with subregulation (3) or regulation 96(3). | $19,210 | $19,759 |
| 93(2) Administration of Schedule 4, 8 or 9 poison— authorised midwife | An authorised midwife must not administer a Schedule 8 poison other than in accordance with subregulation (3) or regulation 97(3). | $19,210 | $19,759 |
| 93(4) Administration of Schedule 4, 8 or 9 poison— authorised midwife | An authorised midwife must not administer a Schedule 9 poison other than in accordance with regulation 98(3). | $19,210 | $19,759 |
| 93A(1) Administration of Schedule 4, 8 or 9 poison— approved registered midwife | An approved registered midwife must not administer a Schedule 4 poison other than in accordance with subregulation (3) or regulation 96(3). | $19,210 | $19,759 |
| 93A(2) Administration of Schedule 4, 8 or 9 poison— approved registered midwife | An approved registered midwife must not administer a Schedule 8 poison other than in accordance with subregulation (3) or regulation 97(3). | $19,210 | $19,759 |
| 93A(4) Administration of Schedule 4, 8 or 9 poison— approved registered midwife | An approved registered midwife must not administer a Schedule 9 poison other than in accordance with regulation 98(3). | $19,210 | $19,759 |
| 94 Administration of Schedule 4 poison—authorised optometrist | An authorised optometrist must not administer a Schedule 4 poison unless— (a) the poison is administered for the treatment of a person other than the optometrist; and (b) the poison is for the ocular treatment of a person under the optometrist's care; and (c) the optometrist has taken all reasonable steps to ensure a therapeutic need exists for the poison; and (d) if the poison was supplied for the treatment of a specific person, the administration is for the treatment of that person; and (e) the poison is administered not merely for the purpose of supporting the drug dependence of a person; and (f) if the poison is a drug of dependence, the optometrist has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered. | $19,210 | $19,759 |
| 95 Administration of Schedule 4 poison—authorised podiatrist | An authorised podiatrist must not administer a Schedule 4 poison unless— (a) the poison is administered for the treatment of a person other than the podiatrist; and (b) the poison is for the podiatric treatment of a person under the podiatrist's care; and (c) the podiatrist has taken all reasonable steps to ensure a therapeutic need exists for the poison; and (d) if the poison was supplied for the treatment of a specific person, the administration is for the treatment of that person; and (e) the poison is administered not merely for the purpose of supporting the drug dependence of a person; and (f) if the poison is a drug of dependence, the podiatrist has taken all reasonable steps to ascertain the identity of the person to whom the poison is to be administered. | $19,210 | $19,759 |
| 96(1) Administration of Schedule 4 poison—nurse or registered midwife | A nurse (other than a nurse practitioner, authorised registered nurse or approved registered nurse) must not administer a Schedule 4 poison other than in accordance with subregulation (3). | $19,210 | $19,759 |
| 96(2) Administration of Schedule 4 poison—nurse or registered midwife | A registered midwife (other than an authorised midwife or approved registered midwife) must not administer a Schedule 4 poison other than in accordance with subregulation (3). | $19,210 | $19,759 |
| 97(1) Administration of Schedule 8 poison—nurse or registered midwife | A nurse (other than a nurse practitioner, authorised registered nurse or approved registered nurse) must not administer a Schedule 8 poison other than in accordance with subregulation (3). | $19,210 | $19,759 |
| 97(2) Administration of Schedule 8 poison—nurse or registered midwife | A registered midwife (other than an authorised midwife or approved registered midwife) must not administer a Schedule 8 poison other than in accordance with subregulation (3). | $19,210 | $19,759 |
| 98(1) Administration of Schedule 9 poison—nurse or registered midwife | A nurse (other than a nurse practitioner, authorised registered nurse or approved registered nurse) must not administer a Schedule 9 poison other than in accordance with subregulation (3). | $19,210 | $19,759 |
| 98(2) Administration of Schedule 9 poison—nurse or registered midwife | A registered midwife (other than an authorised midwife or approved registered midwife) must not administer a Schedule 9 poison other than in accordance with subregulation (3) | $19,210 | $19,759 |
| 99 Administration of Schedule 4 poison by pharmacist | A pharmacist must not administer a Schedule 4 poison— (a) except in accordance with the original prescription of a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner, authorised midwife, authorised optometrist or authorised podiatrist; or (b) except, if the original prescription is required to be submitted to a public authority by any Act of a State or Territory or the Commonwealth, on a copy of a prescription referred to in paragraph (a) certified by, or accompanied by a certification from, a pharmacist who has previously received the prescription; or (c) without an instruction from a registered medical practitioner, dentist, nurse practitioner or an authorised midwife unless— (i) the pharmacist has taken all reasonable steps to ensure a therapeutic need exists for the poison; and (ii) the Secretary has approved the poison under regulation 163(1); and (iii) the administration complies with the conditions specified in the approval (if any); or (d) except on a verbal authorisation under regulation 84(1)(a), 85(1)(a) or 86(1)(a); or (e) except on a written authorisation under regulation 84(1)(b), 85(1)(b) or 86(1)(b) within 12 months of the authorisation being given. | $19,210 | $19,759 |
| 100 Administration of Schedule 8 poison by pharmacist | A pharmacist must not administer a Schedule 8 poison except— (a) in accordance with the original prescription of a registered medical practitioner, veterinary practitioner, dentist, nurse practitioner or authorised midwife; or (b) if the original prescription is required to be submitted to a public authority by any Act of a State or Territory or the Commonwealth, on a copy of a prescription referred to in paragraph (a) certified by, or accompanied by a certification from, a pharmacist who has previously received the prescription; or (c) on a verbal authorisation under regulation 84(1)(a) or 85(1)(a); or (d) on a written authorisation under regulation 84(1)(b) or 85(1)(b) within 6 months of the authorisation being given. | $19,210 | $19,759 |
| 101 Administration of Schedule 9 poison by pharmacist | A pharmacist must not administer a Schedule 9 poison except— (a) in accordance with an authorisation that a registered medical practitioner or a dentist gave verbally under regulation 84(1)(a); or (b) in accordance with an authorisation that a registered medical practitioner or a dentist gave— (i) in writing under regulation 84(1)(b); and (ii) not more than 6 months ago; or (c) in accordance with the original prescription of a registered medical practitioner or dentist. | $19,210 | $19,759 |
| 103(1) Person must not administer Schedule 4, 8 or 9 poison to another person except as specified | A person must not administer a Schedule 4 poison to another person unless— (a) the poison was supplied— (i) by a registered medical practitioner, a dentist, a nurse practitioner, an authorised registered nurse, an approved registered nurse, an authorised midwife, an approved registered midwife, an authorised optometrist, an authorised podiatrist or a pharmacist; and (ii) for the treatment of the other person; or (b) the person administering the poison— (i) is listed in Column 1 of Part 2 of the Table in regulation 7; and (ii) administers the poison in that capacity; and (iii) the administration is to the extent and for the purpose specified in Column 2 of Part 2 of the Table. | $19,210 | $19,759 |
| 103(2) Person must not administer Schedule 4, 8 or 9 poison to another person except as specified | A person must not administer a Schedule 8 poison to another person unless— (a) the poison was supplied— (i) by a registered medical practitioner, a dentist, a nurse practitioner, an authorised registered nurse, an approved registered nurse, an authorised midwife, an approved registered midwife or a pharmacist; and (ii) for the treatment of the other person; or (b) the person administering the poison— (i) is listed in Column 1 of Part 2 of the Table in regulation 7; and (ii) administers the poison in that capacity; and (iii) the administration is to the extent and for the purpose specified in Column 2 of Part 2 of the Table. | $19,210 | $19,759 |
| 103(3) Person must not administer Schedule 4, 8 or 9 poison to another person except as specified | A person must not administer a Schedule 9 poison to another person unless— (a) the poison was supplied— (i) by a registered medical practitioner, a dentist or a pharmacist; and (ii) for the treatment of the other person; or (b) the person administering the poison— (i) is listed in Column 1 of Part 2 of the Table in regulation 7; and (ii) administers the poison in that capacity; and (iii) the administration is to the extent and for the purpose specified in Column 2 of Part 2 of the Table. | $19,210 | $19,759 |
| 104 Person must not administer Schedule 4, 8 or 9 poison to an animal except as specified | A person must not administer a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison to an animal unless the poison was supplied for the treatment of the animal by, or on the prescription or stock food order of, a veterinary practitioner. | $19,210 | $19,759 |
| 105(1) Person must not self-administer Schedule 4, 8 or 9 poison except as specified | A person must not administer a Schedule 4 poison unless— (a) the poison was lawfully supplied for the treatment of that person by— (i) a registered medical practitioner; or (ii) a dentist; or (iii) a nurse practitioner; or (iv) an authorised registered nurse; or (v) an approved registered nurse; or (vi) an authorised midwife; or (vii) an approved registered midwife; or (viii) an authorised optometrist; or (ix) an authorised podiatrist; or (b) the poison was lawfully supplied for the treatment of that person by a pharmacist on the prescription, chart instruction or verbal authorisation of— (i) a registered medical practitioner; or (ii) a dentist; (iii) a nurse practitioner; or (iv) an authorised midwife; or (v) an authorised optometrist; or (vi) an authorised podiatrist; or (c) the poison was lawfully supplied for the treatment of that person by a pharmacist in accordance with regulation 47(1)( e ) or (f); or (d) the person is listed in Column 1 of Part 2 of the Table in regulation 7 and the administration is to the extent and for the purpose specified in Column 2 of Part 2 of that Table. | $19,210 | $19,759 |
| 105(2) Person must not self-administer Schedule 4, 8 or 9 poison except as specified | A person must not self-administer a Schedule 8 poison unless— (a) the poison was lawfully supplied for the treatment of that person by— (i) a registered medical practitioner; or (ii) a dentist; or (iii) a nurse practitioner; or (iv) an authorised registered nurse; or (v) an approved registered nurse; or (vi) an authorised midwife; or (vii) an approved registered midwife; or (b) the poison was lawfully supplied for the treatment of that person by a pharmacist on the prescription, chart instruction or verbal authorisation of— (i) a registered medical practitioner; or (ii) a dentist; or (iii) a nurse practitioner; or (iv) an authorised midwife. | $19,210 | $19,759 |
| 105(3) Person must not self-administer Schedule 4, 8 or 9 poison except as specified | A person must not self-administer a Schedule 9 poison unless— (a) the poison was lawfully supplied for the treatment of that person by a registered medical practitioner or dentist; or (b) the poison was lawfully supplied for the treatment of that person by a pharmacist on the prescription or verbal authorisation of a registered medical practitioner or dentist. | $19,210 | $19,759 |
| 108(1) Details to be contained in records | A person required to keep records under this Part must, as soon as practicable after completing a transaction, record— (a) the date of each transaction; and (b) the name, form, strength and quantity of the poison or controlled substance; and (c) in the case of a transaction involving supply on a prescription— (i) the name of the person who wrote the prescription; and (ii) the directions for use as set out on the prescription; and (d) in the case of a transaction involving supply on a chart instruction— (i) the name of the person who gave the instruction; and (ii) the directions for use as set out in the instruction; and (e) the name and address or location of persons to whom the Schedule 4 poison, Schedule 8 poison or Schedule 9 poison is transferred, supplied, administered or otherwise disposed of; and (ea) in the case of a transaction involving administration of a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison to an animal— (i) the name and address of the person who owns or has custody or care of the animal; and (ii) the name or other unique identifier of the animal; and (f) in the case of a Schedule 8 poison or Schedule 9 poison purchased or obtained, the name and address of the person from whom the poison was purchased or obtained; and (g) in the case of a Schedule 8 poison which has been destroyed by a nurse practitioner or authorised midwife in accordance with regulation 115(2)(a), the details set out in regulation 115(2)(b); and (h) in the case of a Schedule 8 poison or Schedule 9 poison which has been destroyed by a registered medical practitioner, veterinary practitioner, dentist or pharmacist in accordance with regulation 115(3)(a), the details set out in regulation 115(3)(b); and (i) in the case of a Schedule 8 poison listed in the health services permit held by an ambulance service within the meaning of the Ambulance Services Act 1986 which has been destroyed by an operational staff member within the meaning of that Act in accordance with regulation 115(5)(a), the matters set out in regulation 115(5)(b); and (j) in the case of the unused contents of a previously sterile container containing a Schedule 8 poison or a Schedule 9 poison that are not required for administration to a patient which has been destroyed by a registered medical practitioner, pharmacist, veterinary practitioner, dentist, nurse or registered midwife in accordance with regulation 115(4)(a), the details set out in regulation 115(4)(b); and (k) in the case of the unused portion of a tablet or lozenge containing a Schedule 8 poison or a Schedule 9 poison that is not required for administration to a patient which has been destroyed by a registered medical practitioner, veterinary practitioner, dentist, pharmacist, nurse or registered midwife in accordance with regulation 115(6)(a), the details set out in regulation 115(6)(b); and (l) in the case of a transaction involving supply or administration to a specific person, the name of the person carrying out the transaction; and (m) in the case of a transaction that is administration authorised verbally under regulation 84(1)(a), 85(1)(a) or 86(1)(a), the name of the person who gave the authorisation; and (n) in the case of a transaction involving the supply of a monitored poison by a pharmacist to or for a person in circumstances specified in regulation 47(1)(a), (b), (c), (d) or (e) or regulation 48(1)(a), (b) or (c), the date of birth of that person. | $9,605 | $9,879.50 |
| 109(1) Methods by which records are to be retained and retrieved | Subject to regulation 110, a person required to keep records under this Part must ensure that the records of all transactions in Schedule 8 poisons or Schedule 9 poisons kept by the person— (a) are able to be readily sorted by poison; and (b) show the true and accurate balance of each Schedule 8 poison and Schedule 9 poison remaining in the person's possession after each transaction; and (c) show the name of the person carrying out the transaction. | $9,605 | $9,879.50 |
| 109(2) Methods by which records are to be retained and retrieved | Despite subregulation (1)(b), a person must ensure that the records of all transactions in respect of methadone or buprenorphine are made at least daily if the transaction is for the purposes of opioid replacement therapy. | $9,605 | $9,879.50 |
| 109(3) Methods by which records are to be retained and retrieved | A person required to keep records under this Part must keep records made by the person readily retrievable in English | $9,605 | $9,879.50 |
| 109(4) Methods by which records are to be retained and retrieved | A person required to keep records under this Part must retain a record of each transaction in a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison in a readily retrievable form for 3 years from the date of the transaction. | $9,605 | $9,879.50 |
| 109(5) Methods by which records are to be retained and retrieved | A person required to keep records under this Part must produce on demand to an authorized officer all records required to be kept under this Part. | $9,605 | $9,879.50 |
| 109(6) Methods by which records are to be retained and retrieved | A person required to keep records under this Part must maintain the records made by the person of transactions in Schedule 8 poisons or Schedule 9 poisons in a manner that ensures that the records cannot be altered, obliterated, deleted or removed without detection | $9,605 | $9,879.50 |
| 109(7) Methods by which records are to be retained and retrieved | A person required to keep electronic transaction records under this Part must take all reasonable steps to ensure the person's personal access code for making an electronic transaction record for Schedule 8 poisons or Schedule 9 poisons is not known or used by another person. | $9,605 | $9,879.50 |
| 111 Accurate records to be kept | A person required to keep records under this Part must not knowingly make or cause to be made an entry which is false or misleading in any records in respect of a Schedule 4 poison, Schedule 8 poison or Schedule 9 poison. | $9,605 | $9,879.50 |
| 112 Discrepancies in records to be investigated | A person required to keep records under this Part must— (a) investigate without delay any discrepancies found in the transaction records kept by that person; and (b) after that investigation, notify the Secretary without delay of any discrepancy which remains. | $9,605 | $9,879.50 |
| 113 Lost or stolen records to be reported | A person required to keep records under this Part must notify the Secretary without delay of the circumstances of any loss, destruction or theft of records kept by the person relating to Schedule 4 poisons, Schedule 8 poisons or Schedule 9 poisons. | $9,605 | $9,879.50 |
| 114 Wilful destruction prohibited | Subject to this Part, a person must not wilfully destroy a Schedule 8 poison or Schedule 9 poison. | $19,210 | $19,759 |
| 119(1) Certain practitioners not to deal with substance | A dentist, authorised optometrist or authorised podiatrist must not purchase, obtain, issue a prescription for, write a chart instruction for, give a verbal instruction or order for, sell, supply, administer or authorise the administration of a substance to which this Part applies. | $19,210 | $19,759 |
| 120(1) Dealing with substance—registered medical practitioner | A registered medical practitioner who does not hold a warrant must not purchase, obtain, issue a prescription for, write a chart instruction for, give a verbal instruction or order for, sell, supply, administer or authorise the administration of a substance to which this Part applies except in accordance with regulation 123. | $19,210 | $19,759 |
| 121(1) Dealing with substance—nurse practitioner | A nurse practitioner must not purchase, obtain, issue a prescription for, write a chart instruction for, give a verbal instruction or order for, sell, supply or authorise the administration of a substance to which this Part applies except in accordance with regulation 124. | $19,210 | $19,759 |
| 121(2) Dealing with substance—nurse practitioner | A nurse practitioner must not administer a substance to which this Part applies except— (a) in accordance with regulation 96(3); or (b) in accordance with regulation 124. | $19,210 | $19,759 |
| 121A(1) Dealing with substance—authorised registered nurse | An authorised registered nurse must not purchase, obtain, sell or supply a substance to which this Part applies. | $19,210 | $19,759 |
| 121A(2) Dealing with substance—authorised registered nurse | An authorised registered nurse must not administer a substance to which this Part applies except in accordance with regulation 96(3). | $19,210 | $19,759 |
| 121B(1) Dealing with substance—approved registered nurse | An approved registered nurse must not purchase, obtain, sell or supply a substance to which this Part applies. | $19,210 | $19,759 |
| 121B(2) Dealing with substance—approved registered nurse | An approved registered nurse must not administer a substance to which this Part applies except in accordance with regulation 96(3). | $19,210 | $19,759 |
| 122(1) Dealing with substance—authorised midwife | An authorised midwife must not purchase, obtain, issue a prescription for, write a chart instruction for, give a verbal instruction or order for, sell, supply or authorise the administration of a substance to which this Part applies. | $19,210 | $19,759 |
| 122(2) Dealing with substance—authorised midwife | An authorised midwife must not administer a substance to which this Part applies except in accordance with regulation 96(3). | $19,210 | $19,759 |
| 122A(1) Dealing with substance—approved registered midwife | An approved registered midwife must not purchase, obtain, sell or supply a substance to which this Part applies. | $19,210 | $19,759 |
| 122A(2) Dealing with substance—approved registered midwife | An approved registered midwife must not administer a substance to which this Part applies except in accordance with regulation 96(3). | $19,210 | $19,759 |
| 125(1) Warrant number to be included in any prescription | A registered medical practitioner who issues a prescription for a substance to which this Part applies (other than at the direction of another registered medical practitioner under regulation 120(2)(h)) must include the warrant number on the prescription | $1923 | $1,975.90 |
| 125(2) Warrant number to be included in any prescription | A registered medical practitioner or nurse practitioner who, at the direction of a registered medical practitioner under regulation 120(2)(h) or (i), issues a prescription for a substance to which this Part applies must include on the prescription— (a) the name of the registered medical practitioner who gave the direction; and (b) the number of the warrant held by that practitioner in relation to the substance | $1923 | $1,975.90 |
| 132(1) Disclosure of drug use within previous 8 weeks required | A person who in the previous 8 weeks has been treated with a drug of dependence must not, without disclosing that fact at the time, procure or attempt to procure from a practitioner specified in subregulation (1A)— (a) the same or a similar drug of dependence; or (b) a drug of dependence for the same or a similar purpose. | $19,210 | $19,759 |
| 132(2) Disclosure of drug use within previous 8 weeks required | A person who in the previous 8 weeks has been treated with a drug of dependence must not, without disclosing that fact at the time, procure or attempt to procure from a pharmacist, other than on a prescription or order of a person authorised in relation to that drug of dependence under section 13(1) of the Act (a) the same or a similar drug of dependence; or (b) a drug of dependence for the same or a similar purpose. | $19,210 | $19,759 |
| 133B(2) Restrictions on dealing with Schedule 2 poison— approved registered nurse | An approved registered nurse must not sell, supply or administer a Schedule 2 poison unless— (a) that poison is for the treatment of a person under the nurse's care; and (b) if the poison is a drug of dependence, the nurse has taken all reasonable steps to ascertain the identity of the person who is to be treated; and (c) the sale, supply or administration is in accordance with an approval under regulation 161B. | $19,210 | $19,759 |
| 133B(3) Restrictions on dealing with Schedule 2 poison— approved registered nurse | An approved registered nurse must not sell, supply or administer a Schedule 2 poison unless the nurse has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 133C(2) Restrictions on dealing with Schedule 2 poison— approved registered midwife | An approved registered midwife must not sell, supply or administer a Schedule 2 poison unless— (a) that poison is for the treatment of a person under the midwife's care; and (b) if the poison is a drug of dependence, the midwife has taken all reasonable steps to ascertain the identity of the person who is to be treated; and (c) the sale, supply or administration is in accordance with an approval under regulation 161B. | $19,210 | $19,759 |
| 133C(3) Restrictions on dealing with Schedule 2 poison— approved registered midwife | An approved registered midwife must not sell, supply or administer a Schedule 2 poison unless the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison | $9,605 | $9,879.50 |
| 134(1) Restrictions on dealing with Schedule 3 poison— registered medical practitioner | A registered medical practitioner must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless— (a) that poison is for the medical treatment of a person under the practitioner's care; and (b) if the poison is a drug of dependence, the practitioner has taken all reasonable steps to ascertain the identity of the person who is to be treated. | $19,210 | $19,759 |
| 134(2) Restrictions on dealing with Schedule 3 poison— registered medical practitioner | A registered medical practitioner must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 135(1) Restrictions on dealing with Schedule 3 poison— veterinary practitioner | A veterinary practitioner must not issue a prescription for, sell, supply or administer a Schedule 3 poison unless— (a) that poison is for the treatment of an animal under the practitioner's care; and (b) if the poison is a drug of dependence, the practitioner has taken all reasonable steps to ascertain the identity of the person who owns or has custody or care of the animal that is to be treated | $19,210 | $19,759 |
| 135(2) Restrictions on dealing with Schedule 3 poison— veterinary practitioner | A veterinary practitioner must not issue a prescription for, sell, supply or administer a Schedule 3 poison unless the practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 136(1) Restrictions on dealing with Schedule 3 poison— dentist | A dentist must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless— (a) that poison is for the dental treatment of a person under the dentist's care; and (b) if the poison is a drug of dependence, the dentist has taken all reasonable steps to ascertain the identity of the person who is to be treated. | $19,210 | $19,759 |
| 136(2) Restrictions on dealing with Schedule 3 poison— dentist | A dentist must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless the dentist has taken all reasonable steps to ensure a therapeutic need exists for that poison | $9,605 | $9,879.50 |
| 137(1) Restrictions on dealing with Schedule 3 poison— nurse practitioner | A nurse practitioner must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless— (a) that poison is for the treatment of a person under the nurse practitioner's care; and (b) if the poison is a drug of dependence, the nurse practitioner has taken all reasonable steps to ascertain the identity of the person who is to be treated. | $19,210 | $19,759 |
| 137(2) Restrictions on dealing with Schedule 3 poison— nurse practitioner | A nurse practitioner must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless the nurse practitioner has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 137A(1) Sale, supply or administration of Schedule 3 poison—authorised registered nurse | An authorised registered nurse must not sell, supply or administer a Schedule 3 poison unless— (a) that poison is for the treatment of a person under the nurse's care; and (b) if the poison is a drug of dependence, the nurse has taken all reasonable steps to ascertain the identity of the person who is to be treated | $19,210 | $19,759 |
| 137A(2) Sale, supply or administration of Schedule 3 poison—authorised registered nurse | An authorised registered nurse must not sell, supply or administer a Schedule 3 poison unless the authorised registered nurse has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 137B(2) Sale, supply or administration of Schedule 3 poison—approved registered nurse | An approved registered nurse must not sell, supply or administer a Schedule 3 poison unless— (a) the poison is for the treatment of a person under the nurse's care; and (b) if the poison is a drug of dependence, the nurse has taken all reasonable steps to ascertain the identity of the person who is to be treated; and (c) the sale, supply or administration is in accordance with an approval under regulation 161C | $19,210 | $19,759 |
| 137B(3) Sale, supply or administration of Schedule 3 poison—approved registered nurse | An approved registered nurse must not sell, supply or administer a Schedule 3 poison unless the nurse has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 138(1) Restrictions on dealing with Schedule 3 poison— authorised midwife | An authorised midwife must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless— (a) that poison is for the midwifery treatment of a person under the midwife's care; and (b) if the poison is a drug of dependence, the midwife has taken all reasonable steps to ascertain the identity of the person who is to be treated. | $19,210 | $19,759 |
| 138(2) Restrictions on dealing with Schedule 3 poison— authorised midwife | An authorised midwife must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison | $9,605 | $9,879.50 |
| 138A(2) Sale, supply or administration of Schedule 3 poison—approved registered midwife | An approved registered midwife must not sell, supply or administer a Schedule 3 poison unless— (a) the poison is for the treatment of a person under the midwife's care; and (b) if the poison is a drug of dependence, the midwife has taken all reasonable steps to ascertain the identity of the person who is to be treated; and (c) the sale, supply or administration is in accordance with an approval under regulation 161C. | $19,210 | $19,759 |
| 138A(3) Sale, supply or administration of Schedule 3 poison—approved registered midwife | An approved registered midwife must not sell, supply or administer a Schedule 3 poison unless the midwife has taken all reasonable steps to ensure a therapeutic need exists for that poison | $9,605 | $9,879.50 |
| 139(1) Restrictions on dealing with Schedule 3 poison— authorised optometrist | An authorised optometrist must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless— (a) that poison is for the ocular treatment of a person under the optometrist's care; and (b) if the poison is a drug of dependence, the optometrist has taken all reasonable steps to ascertain the identity of the person who is to be treated. | $19,210 | $19,759 |
| 139(2) Restrictions on dealing with Schedule 3 poison— authorised optometrist | An authorised optometrist must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless the optometrist has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 140(1) Restrictions on dealing with Schedule 3 poison— authorised podiatrist | An authorised podiatrist must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless— (a) that poison is for the podiatric treatment of a person under the podiatrist's care; and (b) if the poison is a drug of dependence, the podiatrist has taken all reasonable steps to ascertain the identity of the person who is to be treated. | $19,210 | $19,759 |
| 140(2) Restrictions on dealing with Schedule 3 poison— authorised podiatrist | An authorised podiatrist must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison unless the podiatrist has taken all reasonable steps to ensure a therapeutic need exists for that poison | $9,605 | $9,879.50 |
| 141(1) Restrictions on dealing with Schedule 3 poison— pharmacist | A pharmacist must not sell, supply or administer a Schedule 3 poison— (a) unless— (i) that poison is for the treatment of a person under the pharmacist's care; and (ii) if the poison is a drug of dependence, the pharmacist has taken all reasonable steps to ascertain the identity of the person who is to be treated; or (b) unless that poison is not a drug of dependence and it is sold or supplied (other than by wholesale) for the purposes of first aid treatment of any person in a lifethreatening emergency. | $19,210 | $19,759 |
| 141(2) Restrictions on dealing with Schedule 3 poison— pharmacist | Subject to subregulation (3), a pharmacist must not sell, supply or administer a Schedule 3 poison unless the pharmacist has taken all reasonable steps to ensure a therapeutic need exists for that poison. | $9,605 | $9,879.50 |
| 143 Restrictions on storage and display | A person who is authorised or licensed under the Act to sell or supply Schedule 3 poisons must not keep, store or display any Schedule 3 poison— (a) in a manner which readily allows self-selection by the public; or (b) in a manner which promotes the sale of that Schedule 3 poison or draws undue attention to it. | $9,605 | $9,879.50 |
| 144(1) Requirements to supply—delivery, supervision and directions for use | A practitioner specified in subregulation (1A) who sells or supplies a Schedule 3 poison to a person must— (a) personally deliver or personally supervise its delivery to the person; and (b) provide directions for the use of the Schedule 3 poison. | $9,605 | $9,879.50 |
| 145(1) Requirements to supply—label identifying supplier | A practitioner specified in subregulation (1A) who sells or supplies a Schedule 3 poison to a person must place a label on the container which uniquely identifies the supplier. | $9,605 | $9,879.50 |
| 146 Administration, prescription, sale or supply prohibited if to support drug dependency | A person must not issue a prescription for, write a chart instruction for, sell, supply, authorise the administration of or administer a Schedule 3 poison to a person merely for the purpose of supporting the drug dependence of that person. | $9,605 | $9,879.50 |
| 147(2) Notification of fraudulent obtaining of order or prescription | A practitioner to whom this regulation applies and who suspects or has reason to believe that a person has obtained from the practitioner by means of a false pretence an order or prescription for a Schedule 3 poison that is a drug of dependence must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 147(3) Notification of fraudulent obtaining of order or prescription | A practitioner to whom this regulation applies and who suspects or has reason to believe that a person has obtained from the practitioner by means of a false pretence a Schedule 3 poison that is a drug of dependence must immediately inform the Secretary and a police officer of that suspicion or belief. | $9,605 | $9,879.50 |
| 148 Controls concerning listed regulated poisons | A person must not purchase or otherwise obtain, possess or use a listed regulated poison unless the person is authorised, licensed or permitted under the Act or these Regulations to do so. | $19,210 | $19,759 |
| 149 Licences, permits or warrants required for special Schedule 7 substances | A person must not possess or use a special Schedule 7 substance unless the person holds a licence, permit or warrant issued under the Act. | $19,210 | $19,759 |
| 150(1) Poisons to be sold by wholesale and retail in original unopened packs | Subject to subregulation (2), a person who sells or supplies a poison or controlled substance by wholesale or retail must sell or supply that poison or controlled substance only in the original unopened pack as received from the person who supplied that wholesaler or retailer. | $9,605 | $9,879.50 |
| 151 Transfer of poisons to inappropriate containers prohibited | Except in the course of actual use of a poison or controlled substance, a person must not remove that poison or controlled substance from the container in which it was dispensed, sold or supplied to put that poison or controlled substance— (a) into an unlabelled receptacle or container; or (b) into a receptacle or container which does not accurately identify that poison or controlled substance | $9,605 | $9,879.50 |
| 152(2) Lost or stolen poisons to be notified—practitioners | If a poison or controlled substance is lost by or stolen from a person to whom this regulation applies, the person must notify the Secretary and a police officer of the loss or theft immediately after becoming aware of it. | $3,846 | $3,951.80 |
| 153(2) Lost or stolen poisons to be notified—other persons | If a poison or controlled substance is lost by or stolen from a person to whom this regulation applies, the person must notify either the Secretary or a police officer of the loss or theft immediately after becoming aware of it. | $3,846 | $3,951.80 |
| 154 Access to certain poisons restricted to a needs basis | A person who is authorised by, or licensed or permitted under, the Act or these Regulations, to be in possession of a Schedule 4 poison, listed regulated poison, Schedule 8 poison or Schedule 9 poison must take all reasonable steps to restrict access to that poison or controlled substance to persons (a) authorised by, or licensed or permitted under the Act or these Regulations, to be in possession of that poison or controlled substance; and (b) to whom access is required for carrying out essential operations in relation to that poison or controlled substance. | $19,210 | $19,759 |

|  |
| --- |
| To receive this document in another format, phone 1300 650 172, using the National Relay Service 13 36 77 if required, or email [Fees and Penalties](mailto:feesandpenalties@dhhs.vic.gov.au) <feesandpenalties@dhhs.vic.gov.au>  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Health, April 2023.  Available at [Fees, charges and penalties webpage](https://www.health.vic.gov.au/payments/fees-charges-and-penalties-subject-to-automatic-indexation) <https://www.health.vic.gov.au/payments/fees-charges-and-penalties-subject-to-automatic-indexation> |