

Queensland



Subordinate Legislation 2002 No. 361

Health Act 1937

**HEALTH (DRUGS AND POISONS)
AMENDMENT REGULATION (No. 2) 2002**

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1 Short title

This regulation may be cited as the *Health (Drugs and Poisons) Amendment Regulation (No. 2) 2002*.

2 Commencement

This regulation commences on 1 January 2003.

3 Regulation amended

This regulation amends the *Health (Drugs and Poisons) Regulation 1996*.

4 Amendment of s 231 (Restrictions on grant of general poison licence)

Section 231(a), from ‘S2’—

omit, insert—

‘the following poisons—

- (i) S2 and S7 poisons;
- (ii) S3 pseudoephedrine; and’.

5 Amendment of s 232 (General licence)

Section 232, from ‘sell’—

omit, insert—

‘sell—

- (a) S2 and S7 poisons; and
- (b) S3 pseudoephedrine.’.

6 Amendment of s 277 (Sale of S3 poisons)

(1) Section 277(1), after ‘pharmacist,’—

insert—

‘a holder of a general poison licence,’.

(2) Section 277—

insert—

‘(2A) Subsection (2) does not apply if the seller sells the poison under a general poison licence.’.

(3) Section 277(5)(c)—

omit, insert—

‘(c) if the seller is a pharmacist or a person approved to dispense a poison under a pharmacist’s direction and personal supervision—the name and address of the dispensary at which the poison is dispensed; and

(ca) if the seller is a holder of a general poison licence—the address of the place stated in the licence as the licensee’s business premises; and’.

(4) Section 277(5)(ca) to (e)—

renumber as section 277(5)(d) to (f).

7 Amendment of s 285 (Records of sales of poisons)

Section 285, heading—

omit, insert—

‘285 Record of sale of S7 poison’.

8 Insertion of new s 285A

Chapter 4, part 7, after section 285—

insert—

‘285A Record of sale of S3 pseudoephedrine

‘(1) A person who sells S3 pseudoephedrine to someone (the “**purchaser**”) by retail must, at the time of the sale, make a record of each of the following particulars for the sale—

- (a) the date of the sale;
- (b) the brand name and quantity of S3 pseudoephedrine sold;
- (c) the purchaser’s name and address;

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- (d) if the person asks the purchaser to give the person a document evidencing the purchaser's identity—the type of document given.

Maximum penalty—20 penalty units.

‘(2) The record may be kept in the way the person considers appropriate, including, for example, in an electronic form.

‘(3) The person must keep the record for at least 2 years after the date of the sale.

Maximum penalty—20 penalty units.’

ENDNOTES

1. Made by the Governor in Council on 19 December 2002.
2. Notified in the gazette on 20 December 2002.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.