

Proclamation—Medicines and Poisons Act 2019

Explanatory notes for SL 2020 No. 58

made under the

Medicines and Poisons Act 2019

General Outline

Short title

Proclamation for the *Medicines and Poisons Act 2019*

Authorising law

Section 2 of the *Medicines and Poisons Act 2019*

Policy objectives and the reasons for them

On 17 September 2019, the *Medicines and Poisons Act 2019* was passed by the Legislative Assembly and received Royal Assent on 26 September 2019. Section 2 of the Act specifies that commencement is by Proclamation.

The objective of the Proclamation is to commence stated provisions of the Medicines and Poisons Act on 1 May 2020. The provisions to be commenced by the Proclamation provide for:

- the making of a regulation under the Medicines and Poisons Act;
- the establishment of the monitored medicines database, and the collection and disclosure of data necessary for the testing of the database before it is made available for use by health practitioners in clinical practice; and
- key definitions necessary for the operation of the new framework. Not all of these definitions are necessary for the testing of the monitored medicines database, however, it is preferable to commence all of the definitions in the Act at the same time.

Achievement of policy objectives

The policy objective will be achieved by fixing a date of 1 May 2020 for the commencement of certain provisions of the Medicines and Poisons Act.

The Proclamation commences:

- Chapter 1, part 4, divisions 1 to 3;
- Chapter 7, part 3, division 1, other than sections 225(2) and 226;
- Section 240; and
- Schedule 1.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the policy objectives of the Act.

Inconsistency with policy objectives of other legislation

No inconsistencies with the policy objectives of other legislation have been identified.

Alternative ways of achieving policy objectives

The Proclamation is the only effective means of achieving the policy objective.

Benefits and costs of implementation

There are no costs associated with the Proclamation.

Consistency with fundamental legislative principles

The Proclamation is consistent with fundamental legislative principles.

Consultation

Queensland Health consulted with a wide range of stakeholders in the development of the Medicines and Poisons Act. As the Proclamation relates to the commencement of the Act, further consultation with stakeholders was not required.

The proclamation was assessed by Queensland Health, in accordance with *The Queensland Government Guide to Better Regulation*, as being excluded from regulatory impact assessment under exclusion category (g) on the basis that the Proclamation is of a machinery nature. Therefore, consultation with the Queensland Productivity Commission was not required.