

## CLAUSE NOTES

### Health Legislation (Miscellaneous Amendments) Bill 2022

**Clause 1**                      **Short Title**

This clause provides that the Act will be cited as the *Health Legislation (Miscellaneous Amendments) Act 2022*.

**Clause 2**                      **Commencement**

This clause provides for the Act to commence on a day or days to be proclaimed.

**Part 2 – Acts Interpretation Act 1931 Amended**

**Clause 3**                      **Principal Act**

This clause identifies the *Acts Interpretation Act 1931* as the Principal Act for the purposes of Part 2 of the Act.

**Clause 4**                      **Section 46 amended (Definitions of certain common phrases)**

This clause amends section 46 of the Principal Act by inserting new definitions for “paramedic” and “pharmacist”.

**Part 3 – Agricultural and Veterinary Chemicals (Control of Use) Act 1995 Amended**

**Clause 5**                      **Principal Act**

This clause identifies the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995* as the Principal Act for the purposes of Part 3 of the Act.

**Clause 6**                      **Section 3 amended (Interpretation)**

This clause amends section 3 of the Principal Act by omitting the definition “pharmacist”.

#### Part 4 – *Ambulance Service Act 1982* Amended

- Clause 7                      **Principal Act**
- This clause identifies the *Ambulance Service Act 1982* as the Principal Act for the purposes of Part 4 of the Act.
- Clause 8                      **Section 3 amended (Interpretation)**
- This clause amends section 3 of the Principal Act by omitting the definition “paramedic”.
- Clause 9                      **Section 3AB repealed**
- This clause repeals section 3AB of the Principal Act.

#### Part 5 – *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011* Amended

- Clause 10                     **Principal Act**
- This clause identifies the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011* as the Principal Act for the purposes of Part 5 of the Act.
- Clause 11                     **Section 116 amended (Interpretation of Part 11)**
- This clause amends section 116 of the Principal Act by omitting the definition “pharmacist”.

#### Part 6 – *End-of-Life Choices (Voluntary Assisted Dying) Act 2021* Amended

- Clause 12                     **Principal Act**
- This clause identifies the *End-of-Life Choices (Voluntary Assisted Dying) Act 2021* as the Principal Act for the purposes of Part 6 of the Act.
- Clause 13                     **Section 5 amended (Interpretation)**
- This clause amends section 5 of the Principal Act by omitting the definition “paramedic”.

## Part 7 – *Health (Fees) Regulations 2017* Amended

### Clause 14            **Principal Regulations**

This clause identifies the *Health (Fees) Regulations 2017* as the Principal Regulations for the purposes of Part 7 of the Act.

### Clause 15            **Regulation 3 amended (Interpretation)**

This clause amends regulation 3 of the Principal Regulations by omitting the following definitions:

- “admitted patient”
- “hospital patient”
- “hospital services”
- “National Health Data Dictionary”
- “non-admitted patient”, and
- “non-admitted patient services”.

## Part 8 – *Health Act 1997* Amended

### Clause 16            **Principal Act**

This clause identifies the *Health Act 1997* as the Principal Act for the purposes of Part 8 of the Act.

### Clause 17            **Section 3 amended (Interpretation)**

This clause amends section 3 of the Principal Act by:

- inserting new definitions for “admitted patient”, “hospital services”, “National Health Data Dictionary”, “non-admitted patient” and “non-admitted patient services”, and
- amending the definition of “health service establishment” by omitting “or a day hospital facility within the meaning of the *National Health Act 1953* of the Commonwealth” from the definition.

### Clause 18            **Section 3A inserted**

This clause inserts a new section 3A to define the term “hospital services”.

## Part 9 – Poisons Act 1971 amended

### Clause 19                      Principal Act

This clause identifies the *Poisons Act 1971* as the Principal Act for the purposes of Part 9 of the Act.

### Clause 20                      Section 3 amended (Interpretation)

This clause amends section 3(1) of the Principal Act by:

- omitting the definitions of “paramedic”, “pharmaceutical chemist” and “pharmacy trainee”,
- inserting new definitions for “pharmacist” and “provisionally registered pharmacist”,
- amending the definition of “sell” by replacing “authorize” with “authorise”, and
- amending the definition of “wholesale dealing” by replacing “authorized” with “authorised”.

### Clause 21                      Section 10 amended (Suspension or cancellation of licence)

This clause amends section 10(1)(c) of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”.

### Clause 22                      Section 16 amended (Licences)

This clause:

- amends subsection (2)(c) of section 16 of the Principal Act by replacing “authorize” with “authorise”, and
- amends subsection (3)(c) of section 16 of the Principal Act by replacing “authorize” with “authorise”.

### Clause 23                      Section 18 amended (Offences)

This clause:

- amends subsection (1)(b) of section 18 of the Principal Act by replacing “authorized” with “authorised”,
- amends subsection (1)(c) of section 18 of the Principal Act by replacing “authorized” with “authorised”,
- amends subsection (1)(d) of section 18 of the Principal Act by replacing “authorized” with “authorised”,
- amends subsection (3)(b) of section 18 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subsection (4) of section 18 of the Principal Act by

replacing “authorize” with “authorise”.

- Clause 24**                      **Section 25A amended (Authorisation of registered nurses and midwives by Minister)**
- This clause:
- amends subsection (1) of section 25A of the Principal Act by replacing “authorize” with “authorise”,
  - amends subsection (1) of section 25A of the Principal Act by replacing “authorization” with “authorisation”, and
  - amends subsection (2) of section 25A of the Principal Act by replacing “authorization” with “authorisation” on each occasion that the term is used in that subsection.
- Clause 25**                      **Section 26 amended (Sale and supply of potent substances and hazardous and medicinal poisons)**
- This clause:
- amends subsection (1A) of section 26 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
  - amends subsection (3) of section 26 of the Principal Act by replacing “authorizes” with “authorises”, and
  - amends subsection (3) of section 26 of the Principal Act by replacing “authorizing” with “authorising”.
- Clause 26**                      **Section 27 amended (Licences to sell certain substances)**
- This clause:
- amends subsection (1) of section 27 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
  - amends subsection (1)(a) of section 27 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
  - amends subsection (3)(d) of section 27 of the Principal Act by replacing “authorizes” with “authorises”,
  - amends subsection (5)(b) of section 27 of the Principal Act by replacing “authorized” with “authorised”, and
  - amends subsection (5)(d) of section 27 of the Principal Act by replacing “pharmaceutical chemist” with “chemist”.
- Clause 27**                      **Section 34 amended (Owner, &c., of hazardous poisons not to leave them about unlabelled)**
- This clause amends section 34(2) of the Principal Act by replacing

“pharmaceutical chemist” with “pharmacist”.

**Clause 28**

**Section 36 amended (Offences relating to certain restricted substances)**

This clause:

- amends subsection (1A) of section 36 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (2)(a) of section 36 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subsection (2)(b) of section 36 of the Principal Act by replacing “authorized” with “authorised”.

**Clause 29**

**Section 38 amended (Limitation of application of certain provisions of Division I of this Part)**

This clause:

- amends subsection (1)(a) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (1)(ac) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (1)(b) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (1)(ba) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (1)(c) of section 38 of the Principal Act by replacing “authorization” with “authorisation”,
- amends subsection (3)(a)(i) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (3)(a)(ii) of section 38 of the Principal Act by replacing “pharmacy trainee” with “provisionally registered pharmacist”,
- amends subsection (3)(a)(ii) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subsection (3)(b) of section 38 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 30**

**Section 38A amended (Interpretation)**

This clause amends section 38A of the Principal Act by amending the definition of “dispenser” by replacing “pharmaceutical chemist”

with “pharmacist”.

**Clause 31 Section 38G amended (Prescribers to check monitored medicines database before issuing prescription for monitored medicine)**

This clause amends section 38G of the Principal Act to provide an exemption to the requirement to comply with the section’s requirements, and for the drafting of regulations prescribing the circumstances in which a prescriber does not need to comply with those requirements.

**Clause 32 Section 38H amended (Dispensers to check monitored medicines database before dispensing monitored medicine)**

This clause amends section 38H of the Principal Act to provide an exemption to the requirement to comply with the section’s requirements, and for the drafting of regulations prescribing the circumstances in which a dispenser does not need to comply with those requirements.

**Clause 33 Section 42 amended (Power to prohibit the sale, &c., of a new drug)**

This clause amends section 42(2) of the Principal Act by replacing “authorize” with “authorise”.

**Clause 34 Section 45 amended (Restriction of importation)**

This clause amends section 45(3) of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 35 Section 47 amended (Sale and supply of narcotic substances, prohibited plants, and prohibited substances)**

This clause:

- amends subsection (1)(c) of section 47 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (1)(d) of section 47 of the Principal Act by replacing “authorization” with “authorisation”,
- amends subsection (1)(e) of section 47 of the Principal Act by replacing “authorization” with “authorisation”,
- amends subsection (10) of section 47 of the Principal Act by replacing “authorized” with “authorised, the first time it occurs in that subsection,
- amends subsection (10)(a) of section 47 of the Principal Act by replacing “authorization” with “authorisation”,
- amends subsection (10)(b) of section 47 of the Principal Act

by replacing “authorization” with “authorisation”, and

- amends subsection (10)(c) of section 47 of the Principal Act by replacing “authorized” with “authorised”.

**Clause 36**

**Section 48 amended (Possession of narcotic substances, &c.)**

This clause:

- amends subsection (1)(a) of section 48 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subsection (1)(b) of section 48 of the Principal Act by replacing “authorization” with “authorisation”,
- amends subsection (1)(c) of section 48 of the Principal Act by replacing “authorization” with “authorisation”,
- amends subsection (2)(b) of section 48 of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subsection (2)(ba) of section 48 of the Principal Act by replacing “authorization” with “authorisation”.

**Clause 37**

**Section 49 amended (Prohibition of possession of prohibited plants except under licence)**

This clause:

- amends paragraph (d) of section 49(1) of the Principal Act by replacing “authorizing” with “authorising”, and
- amends paragraph (e)(i) of section 49(1) of the Principal Act by replacing “authorized” with “authorised”.



**Clause 38**                      **Section 59 amended (Regulations relating to narcotics and narcotic substances)**

This clause:

- amends subsection (1)(i) of section 59 of the Principal Act by replacing “authorizing” with “authorising”,
- amends subsection (2)(a) of section 59 of the Principal Act by replacing “authorizing pharmaceutical chemists” with “authorising pharmacists”,
- amends subsection (2)(b) of section 59 of the Principal Act by replacing “authorizing” with “authorising”,
- amends subsection (2)(b) of section 59 of the Principal Act by replacing “pharmaceutical chemists” with “pharmacists”, and
- amends subsection (2)(c) of section 59 of the Principal Act by replacing “authorizing” with “authorising”.

**Clause 39**                      **Section 59C amended (Offence to make available drugs of dependence, &c.)**

This clause amends section 59C of the Principal Act to provide an exemption to the requirement to comply with the section’s requirements, and for the drafting of regulations prescribing the circumstances in which those requirements do not need to be complied with.

**Clause 40**                      **Section 59E amended (Authority for making drugs available to certain patients)**

This clause amends section 59E of the Principal Act to enable the Secretary to authorise a medical practitioner, dentist, authorised health professional or authorised nurse practitioner to make available:

- more than one narcotic substance or specified substance,
- a combination of one or more narcotic substances or specified substances, and
- an amount, up to a maximum amount, of a narcotic substance or specified substance,

for a person’s use.

The clause also amends section 59E(8) of the Principal Act to provide authority for the Secretary to vary the terms of an authority that has been granted.

**Clause 41**

**Section 83A amended (Possession of pipe, &c.)**

This clause amends section 83A(2) of the Principal Act by replacing “authorized” with “authorised”, each time it occurs in that section.

**Clause 42**

**Section 90 amended (Powers of inspectors with respect to licenced premises, &c.)**

This clause:

- amends paragraph (a) of section 90(1) of the Principal Act by replacing “authorizing” with “authorising”,
- amends paragraph (c) of section 90(1) of the Principal Act by replacing “authorizing” with “authorising”,
- amends paragraph (c) of section 90(1) of the Principal Act by replacing “authorized” with “authorised”,
- amends paragraph (d) of section 90(1) of the Principal Act by replacing “authorizing” with “authorising”, and
- amends paragraph (e) of section 90(1) of the Principal Act by replacing “authorized” with “authorised”.

**Clause 43**

**Section 90C amended (Personal searches)**

This clause:

- amends subsection (4) of section 90C of the Principal Act by replacing “authorized” with “authorised”,
- amends subsection (5) of section 90C of the Principal Act by replacing “authorized” with “authorised”, and
- amends subsection (6) of section 90C of the Principal Act by replacing “authorized” with “authorised”, each time it occurs in that subsection.

**Clause 44**

**Section 93 amended (Regulations)**

This clause:

- amends section 93(2) of the Principal Act by replacing “authorized” with “authorised”,
- amends paragraph (k) of section 93(2) of the Principal Act by replacing “authorized” with “authorised”,
- amends paragraph (l) of section 93(2) of the Principal Act by replacing “pharmaceutical chemist” with “pharmacist”,
- amends paragraph (m) of section 93(2) of the Principal Act

by replacing “authorizing” with “authorising”,

- amends paragraph (m) of section 93(2) of the Principal Act by replacing “pharmaceutical chemists” with “pharmacists”, and
- amends paragraph (ma) of section 93(2) of the Principal Act by replacing “authorizing” with “authorising”.

## Part 10 – *Poisons Regulations 2018* Amended

### Clause 45      **Principal Regulations**

This clause identifies the *Poisons Regulations 2018* as the Principal Regulations for the purposes of Part 10 of the Act.

### Clause 46      **Regulation 3 amended (Interpretation)**

This clause:

- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs in paragraph (a) of the definition of “authorised officer”,
- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs in paragraph (b) of the definition of “authorised officer”,
- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs in paragraph (c) of the definition of “authorised officer”,
- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, where it occurs in paragraph (a) of the definition of “chemist”,
- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, where it occurs in the definition of “dispensary”,
- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, where it occurs in paragraph (c) of the definition of “health professional”, and
- amends regulation 3(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, where it occurs in the definition of “pharmacy”.

- Clause 47                    **Regulation 5 amended (Manufacturing chemists and wholesale chemists)**
- This clause amends regulation 5(2) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, where it appears in paragraph (a) of the definition of “qualified person”.
- Clause 48                    **Regulation 11 amended (Licences to manufacture, &c., narcotic substances for scientific purposes)**
- This clause amends regulation 11(1)(e) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 49                    **Regulation 15 amended (Inquiries, &c., before supplying narcotic substance to patient)**
- This clause amends regulation 15(3) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 50                    **Regulation 16 amended (Supply of narcotic substances)**
- This clause:
- amends subregulation (2) of regulation 16 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs”,
  - amends subregulation (3) of regulation 16 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
  - amends subregulation (6) of regulation 16 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
  - amends subregulation (10) of regulation 16 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
  - amends subregulation (11) of regulation 16 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 51                    **Regulation 18 amended (Narcotic substances register to be kept by certain persons)**
- This clause:
- amends regulation 18(1)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
  - amends subregulation (3) of regulation 18 of the Principal Regulations by replacing “pharmaceutical chemist” with

“pharmacist”, each time it occurs in the subregulation.

Clause 52

**Regulation 23 amended (Emergency prescribing and dispensing of narcotic substances)**

This clause:

- amends subregulation (1) of regulation 23 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (1)(b) of regulation 23 of the Principal Regulations by replacing “chemist” with “pharmacist”,
- amends subregulation (2) of regulation 23 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (2) of regulation 23 of the Principal Regulations by replacing “chemist”, the second time it occurs, with “pharmacist”, and
- amends subregulation (2)(b) of regulation 23 of the Principal Regulations by replacing “chemist” with “pharmacist”.

Clause 53

**Regulation 27 amended (Dispensing of narcotic substances (S8))**

This clause:

- amends subregulation (7)(a) of regulation 27 of the Principal Regulations by replacing “registered pharmaceutical chemist” with “pharmacist”,
- amends subregulation (7)(b) of regulation 27 of the Principal Regulations by replacing “registered pharmaceutical chemist” with “pharmacist”,
- amends subregulation (13)(b) of regulation 27 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (15) of regulation 27 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (18) of regulation 27 of the Principal Regulations by replacing “registered pharmaceutical chemist” with “pharmacist”,
- amends subregulation (20) of regulation 27 of the Principal Regulations by replacing “registered pharmaceutical chemist” with “pharmacist”, and
- amends subregulation (20) of regulation 27 of the Principal

Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the second and third time it occurs.

- Clause 54**      **Regulation 31 amended (Supply of narcotic substances in medical institution)**
- This clause amends regulation 31(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 55**      **Regulation 35 amended (Minister may grant nurse’s authority in certain circumstances)**
- This clause amends regulation 35(3) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 56**      **Regulation 47 amended (Emergency prescribing and dispensing of restricted substances)**
- This clause:
- amends subregulation (1) of regulation 47 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
  - amends subregulation (1)(b) of regulation 47 of the Principal Regulations by replacing “chemist” with “pharmacist”,
  - amends subregulation (2) of regulation 47 of the Principal Regulations by replacing “chemist” with “pharmacist”, the first time it occurs, and
  - amends subregulation (2)(b) of regulation 47 of the Principal Regulations by replacing “chemist” with “pharmacist”.
- Clause 57**      **Regulation 48 amended (Continued dispensing without prescription in specified circumstances)**
- This clause amends regulation 48(1) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 58**      **Regulation 51 amended (Dispensing prescriptions for restricted substances (S4))**
- This clause:
- amends subregulation (7) of regulation 51 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs,
  - amends subregulation (8) of regulation 51 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs,

- amends subregulation (9)(a)(ii) of regulation 51 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (11) of regulation 51 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the first time it occurs,
- amends subregulation (11)(a)(ii) of regulation 51 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subregulation (12) of regulation 51 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

#### Clause 59

#### **Regulation 53 amended (Emergency supply of restricted substances other than specified psychotropic substances)**

This clause:

- amends regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the first time it occurs,
- amends paragraph (a) of regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends paragraph (b)(ii)(A) of regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends paragraph (b)(ii)(B) of regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends paragraph (d) of regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the first time it occurs,
- amends paragraph (d) of regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the second time it occurs,
- amends paragraph (d)(ii) of regulation 53 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

#### Clause 60

#### **Regulation 54 amended (Supply of restricted substance in medical institution)**

This clause:

- amends subregulation (1) of regulation 54 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (1)(b) of regulation 54 of the Principal Regulations by replacing “chemist” with “pharmacist”,
- amends subregulation (1)(c) of regulation 54 of the Principal Regulations by replacing “chemist” with “pharmacist”,
- amends subregulation (1)(d) of regulation 54 of the Principal Regulations by replacing “chemist” with “pharmacist”,
- amends subregulation (3) of regulation 54 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subregulation (3)(b) of regulation 54 of the Principal Regulations by replacing “chemist” with “pharmacist”.

## Clause 61

### Regulation 54A amended (Administration of certain vaccines)

This clause:

- amends subregulation (1) of regulation 54A of the Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”,
- amends subregulation (2)(b)(i) of regulation 54A of the Principal Regulations by replacing “pharmaceutical chemist, or pharmacy trainee” with “pharmacist, or provisionally registered pharmacist”,
- amends subregulation (2)(b)(ii) of regulation 54A of the Principal Regulations by replacing “pharmaceutical chemists, or pharmacy trainees” with “pharmacists, or provisionally registered pharmacists”,
- amends subregulation (2)(d)(i) of regulation 54A of the Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”,
- amends subregulation (2)(d)(ii) of regulation 54A of the Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”, and
- amends subregulation (2)(d)(i) of regulation 54A of the Principal Regulations by replacing “pharmaceutical chemist”



with “pharmacist”, the second time it occurs.

## Clause 62

### Regulation 55 amended (Information about drugs)

This clause:

- amends subregulation (1) of regulation 55 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (2)(a) of regulation 55 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, each time it occurs, and
- amends subregulation (2)(b) of regulation 55 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

## Clause 63

### Regulation 58 amended (Supply of potent substances by pharmacists)

This clause:

- amends subregulation (2) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the first time it occurs,
- amends subregulation (2)(b) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the first time it occurs,
- amends subregulation (2)(b) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”,
- amends subregulation (2)(b) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the third time it occurs,
- amends subregulation (3) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (4) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (5) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (6)(b)(ii) of regulation 58 of the

Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”,

- amends subregulation (7) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subregulation (8) of regulation 58 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 64                      Regulation 61 amended (Obtaining potent substances through misrepresentation)**

This clause amends regulation 61(b) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 65                      Regulation 63 amended (Supply of restricted substances to patients)**

This clause amends regulation 63(2)(b) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 66                      Regulation 82 amended (Prescribed persons for section 38(1)(i) of Act)**

This clause:

- amends subregulation (1)(d)(i) of regulation 82 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (1)(e) of regulation 82 of the Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”,
- amends subregulation (1)(f) of regulation 82 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, the first time it occurs, and
- amends subregulation (1)(f) of regulation 82 of the Principal Regulations by replacing “pharmaceutical chemist or pharmacy trainee” with “pharmacist or provisionally registered pharmacist”.

**Clause 67                      Regulation 87 amended (Prescription, &c., of certain substances prohibited, unless authorised by Secretary)**

This clause amends regulation 87(3)(b) of the Principal Regulations

by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 68**

**Regulation 93 amended (Wholesale dealing)**

This clause:

- amends subregulation (2)(c) of regulation 93 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (3)(d) of regulation 93 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subregulation (4)(d) of regulation 93 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 69**

**Regulation 95C amended (Prescribed dispenser)**

This clause amends regulation 95C(f) of the Principal Regulations by replacing “pharmacy trainee” with “provisionally registered pharmacist”.

**Clause 70**

**Regulation 96 amended (Interpretation)**

This clause amends regulation 96 of the Principal Regulations by omitting the definition of “pharmaceutical chemist”.

**Clause 71**

**Regulation 97 amended (Drugs and Therapeutics Committee)**

This clause amends regulation 97(3) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 72**

**Regulation 110 amended (Special provisions as to containers for narcotic substances)**

This clause amends regulation 110(3)(b) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 73**

**Regulation 114 amended (Labelling of dispensed medicines)**

This clause amends regulation 114(1) of the Principal Regulations by:

- replacing “pharmaceutical chemist”, where it appears in paragraph (a), with “pharmacist”, and
- replacing “pharmaceutical chemist”, where it appears in paragraph (b), with “pharmacist”.

- Clause 74**                      **Regulation 124 amended (Reporting of acquisition and disposal of relevant substances)**
- This clause amends regulation 124(1) of the Principal Regulations by replacing “pharmaceutical chemist”, where it appears in paragraph (a) of the definition of “specified person”, with “pharmacist”.
- Clause 75**                      **Regulation 127 amended (Administration of certain substances by disability service workers)**
- This clause amends regulation 127(2)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 76**                      **Regulation 129 amended (Administration of certain substances by school staff)**
- This clause amends regulation 129(2)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 77**                      **Regulation 130 amended (Administration of certain substances by TasTAFE employees)**
- This clause amends regulation 130(2)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 78**                      **Regulation 131 amended (Administration of certain substances by child carers, &c.)**
- This clause:
- amends subregulation (2)(d) of regulation 131 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
  - amends subregulation (4)(d) of regulation 131 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 79**                      **Regulation 132 amended (Administration of certain substances by foster-parents)**
- This clause amends regulation 132(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.
- Clause 80**                      **Regulation 133 amended (Administration of certain substances by aged-care workers in residential care services)**

This clause amends regulation 133(2)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 81                    Regulation 134 amended (Administration of certain substances by aged-care workers in community care services)**

This clause amends regulation 134(2)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 82                    Regulation 135 amended (Administration of certain substances by carers)**

This clause amends regulation 135(1)(d) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 83                    Regulation 136 amended (Administration of certain substances to detainees)**

This clause amends regulation 136(c) of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 84                    Regulation 138 amended (Possession of pseudoephedrine)**

This clause:

- amends subregulation (2)(a) of regulation 138 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”,
- amends subregulation (2)(e) of regulation 138 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”, and
- amends subregulation (2)(g) of regulation 138 of the Principal Regulations by replacing “pharmaceutical chemist” with “pharmacist”.

**Clause 85                    Schedule 1 amended (Requirements in relation to Narcotic Substances Register)**

This clause amends Schedule 1 to the Principal Regulations by replacing the words “Lost, stolen, destroyed under supervision, taken by inspector or sold to another pharmaceutical chemist. (Give details in remarks column of register).” with “Lost, stolen, destroyed under supervision, taken by inspector or sold to another pharmacist. (Give details in remarks column of register).”

**Part 11 – Public Health Act 1997 Amended**

Clause 86                    **Principal Act**  
This clause identifies the *Public Health Act 1997* as the Principal Act for the purposes of Part 11 of the Act.

Clause 87                    **Section 10 substituted**  
**10. Environmental health officers and medical officers of health – appointment by Director**

This clause replaces section 10 of the Principal Act with a new section to:

- clarify the Director of Public Health’s authority to appoint persons as environmental health officers and medical officers of health for the purposes of the Principal Act,
- confirm the validity of the appointment of persons appointed or purportedly appointed as environmental health officers or medical officers of health under section 10 prior to the amendments made by this clause, and
- confirm the validity of the functions or powers performed or exercised by a person appointed or purportedly appointed as environmental health officers or medical officers of health under section 10 prior to the amendments made by this clause.

Clause 88                    **Section 151 amended (Removal and destruction)**  
This clause amends section 151(2) of the Principal Act to clarify the section’s application.

#### **Part 12 – *Public Trustee Act 1930* Amended**

Clause 89                    **Principal Act**  
This clause identifies the *Public Trustee Act 1930* as the Principal Act for the purposes of Part 12 of the Act.

Clause 90                    **Section 3 amended (Interpretation)**  
This clause amends section 3 of the Principal Act by omitting the definition “pharmacist”.

#### **Part 13 – *Workers Rehabilitation and Compensation Act 1988* Amended**

Clause 91                    **Principal Act**  
This clause identifies the *Workers Rehabilitation and Compensation Act 1988* as the Principal Act for the purposes of Part 13 of the Act.

Clause 92                   Section 74 amended (Interpretation of Division 2 of Part VI)  
This clause amends section 74 of the Principal Act by omitting the definition “pharmacist”.

#### Part 14 – Legislation Rescinded

Clause 93                   Legislation rescinded  
This clause provides for the rescission of the legislation specified in Schedule I.

#### Part 15 – Concluding Provision

Clause 94                   Repeal of Act  
This clause provides for the Act’s automatic repeal on the first anniversary of the day on which the Act commenced.

#### Schedule I – Legislation Rescinded

This Schedule specifies the *Ambulance Service (Paramedic) Regulations 2014* as legislation to be rescinded.