UNITED NATIONS

E/NL.1979/33–38
3 November 1981
ENGLISH ONLY

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

AUSTRALIA

Communicated by the Government of Australia

NOTE BY THE SECRETARY-GENERAL – In accordance with the relevant Articles of the International Treaties on Narcotic Drugs and Psychotropic Substances, the Secretary-General has the honour to communicate the following legislative texts.

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WESTERN AUSTRALIA

E/NL.1979/33

Government Gazette,
21 April 1978

Poisons Act, 1964-1970. 1/

ORDER IN COUNCIL

WHEREAS by section 21 of the Poisons Act, 1964-1970, it is provided that the Governor may from time to time, by Order in Council, amend any of the Schedules referred to in section 20 of that Act by

(i) the addition thereto or the deletion therefrom of any substance;
(ii) the deletion and substitution of all of the items in any Schedule;
(iii) the transference of any substance from any Schedule to any other Schedule; or
(iv) the alteration of any item in any Schedule;

and whereas by Order in Council published in the Government Gazette on the 15th June, 1976, the Governor deleted all the items set out in each of the Schedules referred to in section 20 of that Act and substituted the items set out in the Appendix to that Order in Council; and whereas by Order in Council published in the Government Gazette on the 3rd February, 1978 the Governor did amend the Schedules so referred to as set out in the Appendix to that Order; and whereas it is deemed expedient to further amend the Schedules so referred to, in the manner hereinafter set forth: Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, doth hereby amend the Schedules referred to in section 20 of the Poisons Act, 1964-1970, in the manner set out in the Appendix to this Order in Council.

1/ Note by the Secretariat: E/NL.1966/50.

APPENDIX

..... 2/

Eighth Schedule.

The Eighth Schedule to the Poisons Act, 1964-1970 as amended is further amended

(a) by adding after the item "ALPHAMEPRODINE" 3/ the item
ALPHAMETHADOL (alpha-6-dimethylamino-4, 4-diphenyl-3-heptanol).; and

(b) by substituting for the item "OPIUM" the item
OPIUM in any form except the alkaloids papaverine and noscapine.

J. E. A. PRITCHARD,
Acting Clerk of the Council

WESTERN AUSTRALIA

E/NL.1979/34

Government Gazette,
20 October 1978

POISONS ACT, 1964-1970. 1/

Public Health Department,
Perth, 16th October, 1978.

PHD 750/70/6; Ex-Co 2958.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the Poisons Act, 1964-70, has been pleased to make the regulations set forth in the Schedule hereto.

J. C. McNULTY,
Commissioner of Public Health
and Medical Services.

Schedule.

REGULATIONS.

Principal regulations.

1. In these regulations the Poisons Act Regulations, 1965 as reprinted pursuant to the Reprinting of Regulations Act, 1954, in the Government Gazette on the 25th July, 1972 and amended from time to time thereafter by notices so published shall be referred to as the principal regulations.

2/ Note by the Secretariat: Those parts of the text which are irrelevant to drug control, have been omitted.

3/ Note by the Secretariat: International non-proprietary names of drugs are underlined.

2. Regulation 20 of the principal regulations is amended — Reg. 20 amended.

(a) by adding after the regulation designation "20." the sub-regulation designation "(1)";

(b) by inserting after the word "sell" in line one, the passage ", supply or distribute";

(c) by adding the following subregulation

(2) The provisions of subregulation (1) of this regulation shall not apply

(a) to persons licensed pursuant to paragraph (a) of subsection (1) of section 24 of the Act; and

(b) with respect to the supply by a medical practitioner of any poison or substance containing a poison or hazardous substance for the purposes of therapeutic treatment to a patient for a period not exceeding five days at any one time.

VICTORIA

E/NL.1979/35

No. 9076

An Act to amend the Health Act 1958 and for other purposes.

/6th December, 1977./

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. (1) This Act may be cited as the Health (Amendment) Act 1977. — Short title.

(2) In this Act the Health Act 1958 is called the Principal Act. — Principal Act No. 6270.

Reprinted to No. 8506.

Subsequently amended by Nos. 8630, 8642, 8661, 8674, 8756, 8811, 8906, 8953, 9019, 9023, and S.R. No. 241/1974.

Commencement.

(3) Except for section 17 (2), which shall come into operation on the same day as Part I. of the Health Commission Act 1977 comes into operation, the several provisions of this Act shall come into operation on a day or on respective days to be fixed by proclamation or by successive proclamations of the Governor in Council published in the Government Gazette.

Amendment of No. 6270 s. 33.

2. In section 33 (a) of the Principal Act, after the word "shall" there shall be inserted the expression ", subject to section 31,".

Amendment of No. 6270 s. 44.

3. In section 44 of the Principal Act

(a) after sub-section (1) there shall be inserted the following sub-section:

"(1A) The council may either generally or in a particular case authorize one or more of its officers or employés to exercise its powers and discretions under sub-section (1)."; and

(b) in paragraph (a) of sub-section (4) for the expression "$40" there shall be substituted the expression "$200".

Amendment of No. 6270 ss. 60, 61.

4. The Principal Act shall be amended as follows:

(a) After section 60 (2) there shall be inserted the following sub-section:

"(3) Where in any year

"(a) a sanitary rate has been paid in respect of any property; and

"(b) the services in respect of which the sanitary rate was paid are no longer required and will no longer be provided,

"the council may refund to the person who paid the rate an amount which bears the same proportion to the amount of the rate paid as the unexpired portion of the year bears to a whole year."; and

(b) After section 61 (3) there shall be inserted the following sub-section:

"(3A) Where in any year

"(a) a charge has been paid pursuant to paragraph (a) or (b) of sub-section (1); and

"(b) the services in respect of which the charge was paid are no longer required and will no longer be provided,

"the council may refund to the person who paid the charge an amount which bears the same proportion to the amount of the charge paid as the unexpired portion of the year bears to a whole year."

Amendment of No. 6270 s. 65.

5. In section 65 of the Principal Act, after sub-section (5) there shall be inserted the following sub-sections:

"(5A) Subject to sub-section (5B), the council may delegate its powers and discretions under this section to one of its officers.

"(5B) Where an officer authorized under sub-section (5A) approves the application of a person, such approval shall be as valid and effective as an approval given by the council; but where such officer refuses to grant an application, such refusal shall be of no effect until it is ratified by the council."

Insertion of s. 84 in No. 6280.

6. The Principal Act shall be amended as follows:

(a) After section 83 there shall be inserted the following section:

'84. (1) For the purposes of this section

'"Sewerage authority" has the same meaning as it has in section 83;

'"Waste water" means water which, having been used on any premises, is drained or discharged from those premises but does not include any water or stream or body of water which the Commission has declared not to be waste water pursuant to sub-section (2); and

'"Water purification system" means a system for the treatment of waste water so as to reduce the number of pollutants in it.

'(2) The Commission may declare any water or stream or body of water not to be waste water if it is satisfied that the use to which such water or stream or body of water is put on the premises from which it is drained or discharged is not such as to pollute the water or stream or body of water.

'(3) A person shall not use waste water for any purpose whatsoever unless

'(a) the Commission has granted him a permit which authorizes its use for that purpose; or

'(b) he has obtained it from an operator of a water purification system who holds a licence granted by the Commission which authorizes such operator to supply water produced by the system for use for that purpose.

'(4) The Commission may

'(a) grant to a person who wishes to use waste water for a particular purpose or purposes a permit authorizing him to use it for that purpose or those purposes; or

'(b) grant to the operator of a water purification system a licence authorizing him to supply water produced by that system for use for a specified purpose or purposes.

'(5) The Commission shall not authorize the use of waste water for any purpose unless it is satisfied that the waste water reaches or exceeds the standard of purity prescribed in respect of that purpose.

'(6) The Commission may attach to any licence or permit granted by it in sub-section (4) such conditions as it thinks fit; and any person (whether he is the person to whom the permit or licence was granted or some other person) who fails to comply with any such condition that applies to him shall be guilty of an offence against this Act.

'(7) The prohibition in sub-section (3) shall not apply to a sewerage authority except to prevent a sewerage authority

'(a) from using waste water to irrigate or water any land on or in which there is planted any tree, vine or plant the produce of which is intended to be used, sold or disposed of for human consumption; and

'(b) from using waste water to irrigate or water any land on or in which there is planted any grass or fodder which, or the produce of which, is intended to be used, sold or disposed of for consumption by cattle which are not owned by a sewerage authority.

'(8) The Governor in Council may make regulations

'(a) prescribing forms for the purposes of this section;

'(b) fixing fees which may be charged by the Commission in respect of the grant of a licence or permit under this section;

'(c) prescribing standards of purity which waste water must meet before the Commission may authorize its use; and

'(d) generally for or with respect to matters on which it is necessary or convenient to prescribe for the purposes of this section.';

(b) After section 82 for the heading "DIVISION 7. ANIMALS." there shall be substituted the heading "DIVISION 7. USE OF WASTE WATER.";

(c) After section 84 there shall be inserted the heading "DIVISION 7A. ANIMALS."; and

(d) In the Table in section 1, under Part IV., for the heading "Division 7. Animals ss. 83-91." there shall be substituted the headings "Division 7. Use of Waste Water ss. 83-84." and "Division 7A. Animals ss. 85-91."

7. (1) The Principal Act shall be amended as follows:

(a) In section 142 the words "or establishments where tattooing or other like processes are performed" shall be repealed;

(b) After section 142 there shall be inserted the following section:

"142A. The Governor in Council may make regulations in relation to premises in which tattooing, ear-piercing, acupuncture or any like process involving penetration of the skin of a living human being is performed for or with respect to

"(a) requiring the registration of such premises with councils and prescribing a fee not exceeding $150 for such registration;

"(b) the cleanliness of such premises;

"(c) ensuring the cleansing and disinfecting of all appliances implements tools of trade and things used therein;

"(d) the prevention of the occurrence of infectious diseases from the use of any such appliances implements tools or things;

"(e) minimum standards in relation to structure floor area ventilation and sanitation in such premises;

"(f) the inspection of such premises;

"(g) generally, safeguarding the health of customers and persons employed in such premises."; and

(c) In the Table in section 1, under Part VI., for the expression "Infectious Diseases ss. 118-142." there shall be substituted the expression "Infectious Diseases ss. 118-142A.".

S.R. No. 177/1977.

(2) The Health (Skin Penetration) (No. 2) Regulations 1977 in force immediately prior to the coming into operation of this section shall, to the extent to which they could validly have been made under the Principal Act as amended by this section, be deemed to have been so made.

Repeal of No. 6270 s. 205.

8. Section 205 of the Principal Act shall be repealed.

Amendment of No. 6270 s. 220.

9. The Principal Act shall be amended as follows:

(a) In section 220 (1), in the interpretation of "Apartment", for the words "means any part of a building or any room or rooms in a building which part or" there shall be substituted the words "means any room or rooms (whether free-standing or not) on any premises, which"; and

(b) In section 220 (1), for the interpretation of "Apartment-house" there shall be substituted the following interpretation:

'"Apartment-house" means any premises

'(a) on which there is or are any apartment or apartments; and

'(b) on which the total number of people who in any way use the apartments is not less than four.'

Amendment of No. 6270 s. 220A.

10. Section 220A of the Principal Act shall be amended as follows:

(a) For the expression "220A." there shall be substituted the expression "220A. (1)"; and

(b) After sub-section (1) there shall be inserted the following sub-sections:

"(2) Where in proceedings under this Division or regulations made under this Division either of the following matters is material, that is to say

"(a) the age of any person at any time; or

"(b) the extent to which any person was physically handicapped at any time,

"then

"(c) the age of that person at that time shall be deemed to be that which appears to the court after considering any available evidence to have been his or her age at that time; or

"(d) the extent to which that person was physically handicapped at that time shall be deemed to be the extent to which it appears to the court after considering any available evidence that he or she was physically handicapped at that time

"as the case may be.

"(3) For the purposes of sub-section (2) evidence of an officer of the Commission concerning

"(a) his impression of the age or physical condition of any person;

"(b) statements made to him by any person as to the age or physical condition of that person; or

"(c) documents seen by him in the course of an investigation or inspection out of which the hearing at which his evidence is being taken arose

"shall be admissible."

Repeal of Division 2, Part XIV. of No. 6270.

11. The Principal Act shall be amended as follows:

(a) Division 2 of Part XIV. shall be repealed; and

(b) That portion of the Table in section 1 which relates to Division 2 of Part XIV. shall be repealed.

Amendment of No. 6270 s. 270A.

12. The Principal Act shall be amended as follows:

(a) For Division 3A of Part XIV. there shall be substituted the following Division:

"DIVISION 3A. FORMULARIES.

"270A. (1) It shall be lawful to use any of the following formularies, that is to say

"(a) the edition for the time being in force in the United Kingdom of the British Pharmacopoeia, as amended by any addendum thereto for the time being in force in the United Kingdom;

"(b) the edition for the time being in force in the United Kingdom of the British Pharmaceutical Codex, published by direction of the Council of the Pharmaceutical Society of Great Britain, as amended by any amendment thereto for the time being in force in the United Kingdom; or

"(c) the edition for the time being current of the Australian Pharmaceutical Formulary and Handbook, published by the Pharmaceutical Association of Australia and New Zealand,

"as a guide and standard in the preparation of medicines in Victoria together with the true weights and measures of which they are to be prepared and mixed.

"(2) It shall not be lawful to use any formulary other than a formulary mentioned in sub-section (1) as a guide and standard in the preparation of medicines in Victoria."; and

(b) In the Table in section 1, under Part XIV., for the expression "Division 3A. Adoption of the British Pharmacopoeia s. 270A." there shall be substituted the expression "Division 3A. Formularies s. 270A.".

Amendment of No. 6270 s. 288.

13. In section 288 (2) (d) of the Principal Act, for the words "The Director of Agriculture" there shall be substituted the words "The Director-General of Agriculture or his nominee".

Amendment of No. 6270 s. 291 (1).

14. In section 291 (1) of the Principal Act for the word "two" there shall be substituted the word "seven".

Insertion of Division 1 in No. 6270 Part XV.

15. The Principal Act shall be amended as follows:

(a) In Part XV., before Division 2, there shall be inserted the following Division:

"DIVISION 1. GENERAL.

Restrictions on slaughtering etc. No. 6270 s. 313.

"305. A person shall not slaughter or cause or permit any person to slaughter any animal or dress or cause or permit any person to dress any carcass except at an abattoir, knackery or pet food establishment licensed under the Abattoir and Meat Inspection Act 1973.

Exceptions. No. 6270 s. 14.

"306. Nothing in this Division shall operate to prohibit any person from slaughtering or causing or permitting any person to slaughter any animal on any premises being farm land within the meaning of section 254 (1) of the Local Government Act 1958 for consumption by persons on such premises and not for sale nor for use in the preparation of any food for sale.

"307. A person who in any retail butcher shop within the meaning of the Abattoir and Meat Inspection Act 1973 sells or exposes for sale any meat which is not branded in the manner required by or under that Act shall, whether or not he is guilty of any other offence, be guilty of an offence against this Act."; and

(b) In the Table in Section 1, under Part XV., Division 1, for the expression "327" there shall be substituted the expression "307".

16. In section 365 (3) of the Principal Act for the words and expressions beginning with "for a first offence" and ending at the end of the sub-section there shall be substituted the words and expressions "to a penalty of $4,000 or to imprisonment for a term of not more than ten years or to both".

Amendment of No. 6270 s. 365.

17. (1) The Principal Act shall be amended as follows:

Amendment of No. 6270 ss. 401, 405, 407, 408.

(a) For section 401 there shall be substituted the following section:

"401. (1) In the execution of this Act any authorized officer with such assistants as he thinks necessary may

General powers of inspection seizure etc. by officers.

"(a) inspect and examine any food drug or substance or animal or thing found in or on any premises;

"(b) inspect and examine any food drug or substance or animal or thing being in or upon or taken or conveyed on or along any street or public place;

"(c) stop and detain any person animal vehicle or other means of conveyance;

"(d) cut or open any package which he has reasonable grounds for believing contains anything with respect to which there has been a contravention of this Act;

"(e) seize any food drug or substance or animal or thing with respect to which he has reasonable grounds for believing there has been a contravention of this Act;

"(f) detain or remove to some suitable place any food drug or substance or animal or thing so seized;

"(g) destroy any things so seized which are decayed or putrified;

"(h) mark, fasten or secure any food drug or substance or animal or thing; and

"(i) fasten, secure or seal any place door gate opening or means of access to any food drug or substance or animal or thing seized.

"(2) Where the Chief Health Officer certifies that the use keeping for sale or sale of foods drugs or substances or animals or things having any particular physical characteristics is likely to involve a contravention of this Act, the finding of any food drug or substance or animal or thing having those physical characteristics and appearing to have been used kept for sale or sold shall for the purposes of this section constitute reasonable grounds for believing that there has been a contravention of this Act with respect thereto.";

(b) For sub-section (1) of section 405 there shall be substituted the following sub-section:

"(1) Where an analysis of a sample of any food drug or substance procured by an officer proves that the condition or composition of the food drug or substance is such as to render the sale or use thereof a contravention of this Act any authorized officer may

"(a) at all reasonable times enter the premises on which the food drug or substance has been manufactured or is stored; and

"(b) inspect examine and take samples of and seize mark fasten secure or seal any such food or drug or substance.";

Duties of officers seizing foods drugs or substances or animals or things.

(c) For section 407 there shall be substituted the following section:

"407. (1) Where any food drug or substance or thing is seized by an authorized officer pursuant to section 401, the authorized officer shall forthwith

"(a) give notice of the seizure in the prescribed form to the person apparently in charge thereof; or

"(b) if there is no person apparently in charge thereof give notice of the seizure to any person appearing to be the consignor or owner thereof by any name and address attached thereto or to any package containing the same if the address is a place in Victoria, and otherwise to the importer or consignee or his agent.

"(2) Where any food drug or substance is seized by an authorized officer pursuant to section 405, the authorized officer shall forthwith deliver or forward a portion thereof marked and sealed or fastened up in such a manner as its nature will permit to any person appearing to be the consignor or manufacturer by any name and address attached thereto or to any package containing the same if the address is a place in Victoria, and otherwise to the importer or consignee or his agent.

"(3) No officer and no member of the police force seizing any food drug or substance or any animal or thing and no inspector of stock seizing any animal shall be liable for any costs expenses or damages on account of the seizure if he acted under a reasonable belief that the food drug or substance or animal or thing was unwholesome or that the animal was diseased or that there was with respect to any such food drug or substance or animal or thing any contravention of this Act."; and

(d) For section 408 there shall be substituted the following section:

Remedy to persons for foods drugs or substances or animals or things seized.

"408. (1) Any person claiming any food drug or thing seized under this Act may within 72 hours after the seizure complain thereof by giving notice of the complaint in the prescribed form to a justice and a copy thereof to the authorized officer responsible for the seizure.

"(1A) The complaint shall be heard and determined by any two justices who (after hearing the evidence) may either confirm or disallow the seizure wholly or in part and make an order accordingly.

How seized objects to be dealt with.

"(2) If no such complaint is made or if the seizure is confirmed each food drug or substance or animal seized

"(a) shall thereupon become the property

"(i) of the municipality if the seizure is made by an officer of the council; or

"(ii) of the Crown if the seizure is made by an officer of the Department or a member of the police force; and

"(b) shall be destroyed or otherwise disposed of."

(2) In section 401 (2) of the Principal Act for the words "Chief Health Officer" there shall be substituted the word "Commission".

Amendment of No. 6270.

Second Schedule.

18. In the Second Schedule to the Principal Act the expression "9. The Hairdressers Registration Act 1958." shall be repealed.

E/NL.1979/36

NARCOTIC AND PSYCHOTROPIC DRUGS ACT, 1934-1977:
APPLICATION TO CERTAIN DRUGS

SOUTH AUSTRALIA)
to wit)

Proclamation by His Excellency the Governor of the State of South Australia

(L.S.) K. SEAMAN

BY virtue of the provisions of the Narcotic and Psychotropic Drugs Act, 1934-1977, 4/ and all other enabling powers, I, the said Governor, being of the opinion that it is desirable that the derivatives, alkaloids, drugs or substances referred to in the schedules to paragraph 2 hereof and in paragraphs 3 and 4 hereof should be brought within the provisions of the said Act and with the advice and consent of the Executive Council, do hereby:

1. Revoke the proclamations made under the said Act and published in the Government Gazette on the 13th day of June, 1974, at pages 2330, 2331 and 2332 and on the 11th day of November, 1976, at page 1604.

2. Declare that the derivatives, alkaloids, drugs and substances listed in the following schedules shall be drugs to which the provisions of the said Act shall apply:

SCHEDULE 1

(1) Coca leaves;

(2) All preparations of esters of ecgonine and their salts;

(3) All preparations of ecgonine containing less than 0.1 per cent of ecgonine;

(4) All preparations of esters of morphine;

(5) Any preparation, admixture, extract or other substance containing any proportion of Indian Hemp or Hashish.

SCHEDULE 2

Acetorphine. 3/
Acetylmethadol.
Allylprodine.
Alphacetylmethadol.
Alphameprodine.
Alphamethadol.
Alphaprodine.
Anileridine.
Benzethidine.
Betacetylmethadol.
Betameprodine.
Betamethadol.
Betaprodine.
Bezitramide.
Clonitazene.
Codoxime.
Concentrate of poppy straw (the material arising when poppy straw has entered into a process for the concentration of its alkaloids, when such material is made available in trade).
Desomorphine.
Dextromoramide.
Diampromide.
Diethylthiambutene.

4/ Note by the Secretariat: E/NL.1956/111; E/NL.1971/10; E/NL.1972/34.

Difenoxin.
Dimenoxadol.
Dimephaptanol.
Dimethylthiambutene.
Dioxaphethyl butyrate.
Dipipanone.
Drotebanol
Ethylmethylthiambutene.
Etonitazene.
Etorphine.
Etoxeridine.
Fentanyl.
Furethidine.
Hydromorphinol.
Hydroxypethidine.
Isomethadone.
Ketobemidone.
Levomethorphan.
Levemoramide.
Levophenacylmorphan.
Levorphanol.
Metazocine.
Methadone.
Methadone-Intermediate.
Methyldesorphine.
Methyldihydromorphine.
Metopon.
Moramide-Intermediate.
Morpheridine.
Myrophine.
Nicomorphine.
Noracymethadol.
Norlevorphanol.
Normethadone.
Normorphine.
Norpipanone.
Oxymorphone.
Pethidine.
Pethidine-Intermediate-A.
Pethidine-Intermediate-B.
Pethidine-Intermediate-C.
Phenadoxone.
Phenampromide.
Phenazocine.
Phenomorphan.
Phenoperidine.
Piminodine.
Piritramide.
Poppy straw (the straw of Papaver somniferum L.)
Proheptazine.
Properidine.
Racemethorphan.
Racemoramide.
Racemorphan.
Trimeperidine.

The salts of the drugs listed in this schedule whenever the existence of such salts is possible.

Any preparation, admixture, extract or other substance containing any proportion of the drugs listed in this schedule.

SCHEDULE 3

International non-proprietary name	Other non-proprietary or trivial names	Chemical name
1.	DET	N,N-diethyltryptamine
2.	DMHP	3-(1, 2-dimethylheptyl)-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo (b,d) pyran-1-ol
3.	DMT	N,N-dimethyltryptamine
4. (+)-lysergide	LSD, LSD-25	(+)·N,N-diethyllysergamide (d-lysergic acid diethylamide)
5.	mescaline	3,4,5-trimethyoxyphene-thylamine
6.	parahexyl	3-hexyl-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo (b,d) pyran-1-ol
7.	psilocine, psilotsin	3-(2-dimethylaminoethyl) indol-4-ol
8. psilocybine		3-(2-dimethylaminoethyl) indol-4-yl dihydrogen phosphate
9.	STP, DOM	2,5-dimethoxy-4-methylphene-thylamine
10.	tetrahydrocannabinols, all isomers	3-pentyl-6a,7,10,10a tetrahydro-6,6,9-trimethyl-6H, dibenzo (b,d) pyran-1-ol

11. The salts of the drugs listed in this schedule whenever the existence of such salts is possible.
12. Any preparation, admixture, extract or other substance containing any proportion of the drugs listed in this schedule.

SCHEDULE 4

	International non-proprietary name	Chemical name
1.	Amphetamine	(+)-a-methylphenethylamine
2.	Dexamphetamine	(+)-a-methylphenethylamine
3.	Methamphetamine	(+)-N-a-dimethylphenethylamine
4.	Methaqualone	2-Methyl-3-O-Tolylquinazolin-4-One
5.	Methylphenidate	a-phenyl-2-piperidineacetic acid methyl ester
6.	Phencyclidine	1-(1-phenylcyclohexyl) piperidine
7.	Phenmetrazine	3-methyl-2-phenylmorpholine

8. The salts of the drugs listed in this schedule whenever the existence of such salts is possible.
9. Any preparation, admixture, extract or other substance containing any proportion of the drugs listed in this schedule.

SCHEDULE 5

4-Bromo-2, 5-Dimethoxyamphetamine.
4-Bromo-3, 5-Dimethoxyamphetamine.
3-Bromo-4-Methoxyamphetamine.
4-Bromo-3-Methoxyamphetamine.
2, 4-Dimethoxyamphetamine.
2, 5-Dimethoxyamphetamine.
3, 4-Dimethoxyamphetamine.
3, 4-Dimethoxy-5-Ethoxyamphetamine.
2, 5-Dimethoxy-4-Ethoxyamphetamine.
4, 5-Dimethoxy-2-Ethoxyamphetamine.
2, 5-Dimethoxy-4-Methylamphetamine.
2, 3-Dimethoxy-4, 5-Methylenedioxyamphetamine.
2, 5-Dimethoxy-3, 4-Methylenedioxyamphetamine.
3, 4-Dimethoxyphenylethylamine.
4, 5-Ethylenedioxy-3-Methoxyamphetamine.
4-Methoxyamphetamine.
2-Methoxy-3, 4-Methylenedioxyamphetamine.
2-Methoxy-4, 5-Methylenedioxyamphetamine.
3-Methoxy-4, 5-Methylenedioxyamphetamine.
4-Methoxy-2, 3-Methylenedioxyamphetamine.
2-Methoxy-3, 4-Methylenedioxyphenylethylamine.
3-Methoxy-4, 5-Methylenedioxyphenylethylamine.
4-Methoxyphenylethylamine.
3, 4-Methylenedioxyamphetamine.
2, 3, 4, 5-Tetramethoxyamphetamine.
2, 3, 4-Trimethoxyamphetamine.
2, 3, 5-Trimethoxyamphetamine.
2, 3, 6-Trimethoxyamphetamine.
2, 4, 5-Trimethoxyamphetamine.
2, 4, 6-Trimethoxyamphetamine.
3, 4, 5-Trimethoxyamphetamine.
1-(3, 4, 5-Trimethoxyphenyl)-2-Aminobutane.
2, 4, 5-Trimethoxyphenylethylamine.

The salts of the drugs listed whenever the existence of such salts is possible.

Any preparation, admixture, extract or other substance containing any proportion of the drugs listed.

3. Declare that the following derivatives, alkaloids, drugs and substances shall be drugs to which the provisions of the said Act shall apply

Acetyldihydrocodeine;
Codeine;
Dihydrocodeine;
Diphenoxylate;
Ethylmorphine;
Nicocodine;
Nicodicodine;
Norcodeine;
Pholcodine;
Propiram;

with the modification that Parts I, IV and V only of the Narcotic and Psychotropic Drugs Regulations, 1977, shall apply to

(1) Preparations of

Acetyldihydrocodeine;
Codeine;
Dihydrocodeine;
Ethylmorphine;
Nicodicodine;
Norcodeine;
Pholcodine;

and their respective salts when compounded with one or more other ingredients and containing not more than 100 milligrammes of the drug per dosage unit and with a concentration of not more than 2.5 per cent in undivided preparations.

(2) Preparations of diphenoxylate and its salts containing not more than 2.5 milligrammes of diphenoxylate calculated as the base and not less than 25 microgrammes of atropine sulphate per dosage unit.

(3) Preparations conforming to any of the formulae listed in subparagraphs (1) and (2) of this paragraph and mixtures of such preparations with any material which contains no drug.

4. Declare that the following derivatives, alkaloids, drugs and substances shall be drugs to which the provisions of the said Act shall apply:

(1) Preparations of cocaine containing not more than 0.1 per cent of cocaine calculated as cocaine base and preparations of opium or morphine containing not more than 0.2 per cent of morphine calculated as anhydrous morphine base and compounded with one or more other ingredients in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health.

(2) Pulvis ipecacuanhae et opit compositus
10 per cent opium in powder
10 per cent ipecacuanhae root in powder, well mixed with 80 per cent of any other powdered ingredient containing no drug;

(3) Preparations conforming to any of the formulae listed in subparagraphs (1) and (2) of this paragraph and mixtures of such preparations with any material which contains no drug;

with the modifications that Parts I, IV and V only of the Narcotic and Psychotropic Drugs Regulations, 1977, shall apply thereto.

Given under my hand and the public seal of South Australia, at Adelaide, this 19th day of January, 1978.

By command,

GEOFF VIRGO, for Premier

SOUTH AUSTRALIA

REGULATIONS UNDER THE NARCOTIC AND PSYCHOTROPIC DRUGS ACT, 1934-1977 5/

At the Executive Council Office, at Adelaide, this 19th day of January, 1978.

BY virtue of the provisions of the Narcotic And Psychotropic Drugs Act, 1934-1977, and all other enabling powers, I the Governor of the State of South Australia, the Minister to whom the administration of the said Act is for the time being committed having submitted the regulations hereunder to the Pharmacy Board of South Australia and the said Minister having considered representations made by the said Board, do with the advice and consent of the Executive Council, hereby make the following regulations.

K. SEAMAN, Governor

Regulations Under the Narcotic and Psychotropic Drugs Act, 1934-1977

Part 1. Preliminary

1. (1) The Dangerous Drugs Regulations, 1969-1977, made under the said Act on the 11th day of September 1969, and published in the Government Gazette on the same day at page 771, as varied, are hereby revoked.

(2) These regulstions may be cited as the "Narcotic and Psychotropic Drugs Regulations, 1978".

(3) These regulations shall come into operation on the 20th day of January 1978.

2. These regulations are arranged in Parts as follows:

5/ Note by the Secretariat: E/NL.1956/111 and amendments published under E/NL.1971/10 and E/NL.1973/2.

SCHEDULES

First

Form of Application for Wholesale Dealers Licence

Second

Form of Wholesale Dealers Licence

Third

Form of Dangerous Drugs Register

Fourth

Form of Analyst's Certificate

Fifth

Form of Ward Record

Sixth

Form of Certificate Pursuant to Section 14

Definitions

3. Without limiting the application to these regulations of section 40 of the Acts Interpretation Act, 1915-1975, in these regulations, unless the context otherwise requires

"board" means the Central Board of Health:

"drug" means a drug to which for the time being the Act applies:

"manufacture" includes to pack or transfer from one container to another:

"medical practitioner" means a person registered as a medical practitioner under the Medical Practitioners Act, 1919-1971:

"Minister" means the Minister to whom for the time being the administration of the Act is committed:

"pharmaceutical chemist" means a person registered as a pharmaceutical chemist under the Pharmacy Act, 1935-1972:

"registered dentist" means a person registered as a dentist under the Dentists Act, 1931-1974;

"registered nurse" means a person registered as a nurse, mental nurse or midwife under the Nurses Registration Act, 1920-1970:

"retail business" means the business of retailing or dispensing or compounding drugs carried on at a shop:

"the Act" means the Narcotic and Psychotropic Drugs Act, 1934-1977.

"veterinary surgeon" means a person registered as a veterinary surgeon or veterinary practitioner pursuant to the Veterinary Surgeons Act, 1935-1968:

"wholesale chemist" means a person who carries on the business of selling drugs to persons who buy to sell again.

Manufacture and Sale

4. No person shall manufacture, sell, distribute or supply any drug unless he is licensed or authorized so to do by these regulations and except subject to any conditions specified in the licence or authority and in these regulations.

Part II. Authorised Possession and use of Narcotic and Psychotropic Drugs

Exceptions from Part II

5. In this Part of these regulations "drug" means any drug except

(a) drugs to which Part III of these Regulations apply;

(b) preparations to which Part IV of these Regulations apply.

Authorized Possession

6. A person shall be deemed to be a person duly authorized to be in possession of a drug when it is lawfully supplied for his use by a medical practitioner or veterinary surgeon in accordance with these regulations or on and in accordance with a prescription complying with these regulations given by a medical practitioner or a veterinary surgeon: Provided that the authority contained in this regulation shall not apply to any person who, whilst he is in course of being lawfully supplied with a drug, and without disclosing that fact at the time, is supplied with a similar drug for a similar purpose by some other person lawfully empowered so to do.

Pharmacists

7. Until such authority is cancelled, any person lawfully practising in any premises as a pharmaceutical chemist is, without any further licence or authority than this regulation, hereby authorized subject to these regulations

(a) to manufacture at such premises in the ordinary course of retail business any preparation, admixture, or extract of any drug:

(b) to carry on at the said premises the business of retailing, dispensing or compounding any drug:

(c) to supply any drug to any person authorized or licensed pursuant to these regulations to be in possession of the drug.

Medical Practitioners, Registered Dentists, Veterinary Surgeons

8. Any medical practitioner or registered dentist, or veterinary surgeon, or registered nurse (so far as the use of such drug by a registered nurse is required in connection with its administration to a patient under the instruction of a medical practitioner) is, without any further licence or authority than this regulation, hereby authorized so far only as is necessary for the practice or exercise of his respective profession or employment to be in possession of any drug.

Laboratory Personnel

9. (1) Any person in charge of a laboratory for purposes of research or instruction attached to any university, public hospital, or other public institution and any person appointed under the Food and Drugs Act, 1908-1976 as an analyst, is hereby authorized so far only as it is necessary for the practice or exercise of his profession or employment to be in possession of any drug specified in an authority in writing issued to him by the Minister.

(2) The Minister, on the recommendation of the board, may issue an authority to any of the persons specified in paragraph (1) hereof on application in writing, and the following rules shall apply thereto:

I. The authority may be in such form as the board thinks fit, and may limit the possession to specified quantities of specified drugs:

II. The authority may be cancelled at any time by the Minister on the recommendation of the board, and if not so cancelled shall remain in force until the 30th day of September following the date of issue, but may be renewed on application:

III. There shall be no fee for any authority issued under this regulation:

IV. The person to whom the authority is issued shall keep a register of drugs as provided by this Part of these regulations.

Hospital Pharmacists

(1) Any pharmaceutical chemist in charge of a pharmacy department in any hospital or institution is hereby authorized so far as it is necessary for the exercise of his employment to be in possession of any drug.

(2) (a) Such pharmaceutical chemist shall keep or cause to be kept a register of drugs, as provided by this Part of these regulations.

(b) Any drug required for hospital purposes from the pharmacy department shall be supplied by the pharmaceutical chemist only on an order signed by a medical practitioner attending the said hospital or institution: the order shall be cancelled, retained, and filed by the pharmaceutical chemist.

(c) Drugs shall be supplied only to patients undergoing treatment in or at the hospital or institution.

(3) Drugs required for patients undergoing treatment as outpatients of any such hospital shall be supplied by the pharmaceutical chemist only on a prescription signed by a medical practitioner attending the hospital.

Hospital Ward Stocks

11. (1) A registered nurse in charge of any ward, theatre, room or department of any hospital in which there is a pharmacy department under the control of a registered pharmaceutical chemist is hereby authorised to be in possession of the drugs to which the Act applies stored in that ward, theatre, room or department subject to the following conditions:

(a) The drugs are stored under the control of such registered nurse in a locked cupboard approved by the medical superintendent or other hospital administration.

(b) The stock shall be regularly checked as directed by the medical superintendent or other hospital administration and in particular as far as practical at the end of each shift when the drugs are given by one nurse into the possession of the registered nurse who is next taking charge of such stock and an appropriate entry made in the drug record by both nurses.

(c) The drugs are replenished from the pharmacy department either:

(i) in the case of a hospital in which ward stocks are regularly checked by a registered pharmacist, an entry shall be made in the pharmacy register by the issuing pharmacist, and an entry made in the ward register or administration record and signed by the issuing pharmacist and the registered nurse receiving the drugs or

(ii) on a written order of the medical superintendent of the hospital, or his nominee, signed by him within 24 hours of such replenishment. Written receipt for the drugs shall be obtained by the issuing pharmacist from the nurse responsible for their safe custody.

(2) Drugs stored in a ward, theatre, or other room or department shall be administered to patients in the hospital only on the written instruction of the medical practitioner attending the patient at the hospital.

(3) The registered nurse in charge of the ward, theatre, or room shall keep a record, substantially in the form of the fifth schedule, of all drugs so administered, showing in a separate entry the name of each patient to whom any drug is administered, and each entry shall be signed at the time of administration by the nurse administering the drug, the nurse witnessing administration, and the ordering medical practitioner, who shall sign within twenty-four hours of such administration. Provided that, in the case of the signature of the medical practitioner, it shall be deemed to be sufficient compliance with the requirements of this paragraph if such medical practitioner signs an entry on the patient's medical record authorising the administration of the drug.

Nurses

12. (1) If the board is satisfied that a registered nurse carries on her profession under such circumstances that the services of a medical practitioner are not available at the time to give instructions for the administration of drugs to patients, the Minister, on the recommendation of the board, may issue an authority in writing to the registered nurse authorizing the registered nurse to be in possession of any drug specified in the authority for the purpose of its administration to patients.

(2) Any such authority may be issued on application in writing and the following rules shall apply thereto:

I. The authority may be in such form as the board thinks fit, and may limit the possession to specified quantities of specific drugs:

II. The authority may be cancelled at any time by the Minister on the recommendation of the board, and if not so cancelled, shall remain in force until the 30th day of September following the date of issue, but may be renewed on application:

III. There shall be no fee for any authority issued under this regulation:

IV. The registered nurse shall keep a register of drugs, as provided by this Part of these regulations.

Hospitals

13. A registered nurse authorized under regulation 8 of these regulations in charge of a hospital shall keep or cause to be kept a register in accordance with regulation 32 of these regulations and shall ensure that a ward administration record substantially in the form of the fifth schedule is kept in each ward or section of the hospital by the registered nurse in possession of the drugs in that ward or section, a separate record being kept for each strength or form of each drug.

Provided that in the case of a hospital in which there is only one ward or storage point it shall be deemed to be sufficient compliance with the requirements of this regulation if a ward administration record as aforesaid only is kept.

Where a drug has been purchased or obtained on a prescription for a particular patient, such patient's name shall be shown with the entry relating to such purchasing or obtaining in the register or record book as the case may be.

Medical Services and Missions

14. Any person in charge of a medical kit in an isolated area for use under the direction of a medical practitioner attached to the Royal Flying Doctor Service of Australia, is hereby authorized to obtain and have in his possession for the purposes of administration to a sick or injured person in an emergency arising in the locality for which the drugs were supplied, such drugs as may be, from time to time, considered necessary by a medical practitioner attached to the organization. Any drugs required by any such person shall be obtained only on the order of any medical practitioner as aforesaid.

First-Aid Kits

15. The Minister, on the recommendation of the Board, may issue an authority in writing to any person in control of a first-aid kit to be in possession of any drug specified in the authority for the purposes of administration to any person only for the purpose of treating a sick or injured person in an emergency arising in the locality for which the drugs were supplied.

For the purposes of this regulation a first-aid kit is one which is held ready for use in the event of emergency in the place, locality, vessel or vehicle specified in the authority and which is

(a) under the control of a person in an isolated locality where workers are employed; or

(b) under the control of a registered nurse appointed as an occupational health nurse in any place where a first-aid post or similar post is established for the benefit of workers employed there; or

(c) under the control of a person representing an organization established for search and rescue operations; or

(d) under the control of a person belonging to a class authorized under these regulations.

Any drugs required by any such authorized person shall be obtained only on the order of a medical practitioner attached to the organization concerned or of the South Australian Health Commission.

Maximum Quantities

16. (1) The board may serve upon any person authorized under these regulations to be in possession of any drug a notice in writing specifying the maximum quantity of any drug or drugs named in the notice which such person may have in his possession.

(2) No person upon whom such notice in writing has been served shall at any time after the lapse of seven days from the date of service of the notice, and while the notice remains in force, have in his possession a greater quantity of that drug or those drugs than the maximum quantity specified in the notice.

(3) The notice shall remain in force until cancelled by the Board.

Wholesale Dealers and Manufacturers

17. (1) No person shall dispose of by wholesale or manufacture or carry on any process in the manufacture of a drug

(a) unless he is duly licensed under these regulations so to do:

(b) except on premises licensed under these regulations for the purpose:

(c) unless the manufacture is conducted under the supervision of a pharmaceutical chemist or of a person who holds a diploma in chemistry or university degree approved by the board, or of a Fellow or Associate of the Australian Chemical Institute approved by the board:

(d) unless the following records are kept:

(i) a register of stocks and sales of drugs in accordance with regulation 32 hereof, and

(ii) a separate folio for each authorized person showing all quantities of drugs supplied to such person.

(e) unless all drugs held under the said authority are stored in a locked receptacle or room:

(f) unless he furnishes a monthly return of sales to the board:

(g) otherwise than in accordance with the terms and conditions of the licence and of these regulations.

(2) Any person desirous of obtaining a licence under this regulation shall make application in writing to the board in the form of the first schedule.

(3) The Minister may, on the recommendation of the board, issue a licence in the form in the second schedule.

(4) A fee of $50 shall be paid for any such licence. If a licence is issued under this regulation in respect of more than one address the fee specified shall apply only to the principal premises and an annual registration fee of $5 shall be paid for each additional address.

(5) A licence shall unless sooner withdrawn by the Minister continue in force until the 30th day of September next after its issue or until the death of the licensee or until the transfer or cesser of his business, whichever first occurs.

(6) This regulation shall not apply to a pharmaceutical chemist authorized pursuant to regulation 7.

Shipping

18. (1) The master of a British ship or where a medical officer is carried, the medical officer, is hereby authorized to

(a) be in possession of drugs and preparations so far as is necessary for the purpose of complying with the Merchant Shipping Act, 1894, or the Navigation Act, 1912-1965; and

(b) supply drugs and preparations to members of the crew, subject to any conditions imposed by the Minister, and any instructions issued by the Board of Trade of the United Kingdom.

Any such drugs shall not exceed the quantity provided in the scale of medicines and medical stores required to be carried on a ship by section 124 of the Navigation Act, 1912-1965.

(2) Where a drug or preparation is supplied to a member of a crew of a British ship the entry in the official log book of the medical treatment adopted shall, notwithstanding anything in these regulations, be a sufficient record of the supply, if that entry specifies the drug or preparation supplied.

(3) The Master of a foreign ship which is in a port in South Australia is hereby authorized to purchase and be in possession of such quantity of drugs or preparations as may be certified by a Medical Inspector of Seamen appointed under the Navigation Act, 1912-1965, to be necessary for the equipment of the ship until it next reaches its home port.

(4) The holder of a licence or other authorised person may supply drugs to the master of a ship on the written order of the master which in the case of a foreign ship is certified in accordance with paragraph (3) of this regulation.

(5) A person who supplies a drug or preparation in accordance with a certificate or order given under this regulation shall retain such certificate or order, mark thereon the date on which the drug or preparation is supplied and the word "cancelled".

Aircraft

19. (1) A person licensed by the Director-General of Civil Aviation to engage in regular public transport services is hereby authorised to be in possession of drugs and preparations for installation in aircraft so far as is necessary for the purpose of complying with the requirements of any regulation or order made on pursuance of the Commonwealth Air Navigation Act, 1920-1963, subject to the following conditions:

(a) The drugs shall be stored in a sealed first-aid kit in the aircraft.

(b) The drugs shall be used only for emergency purposes.

(c) The drugs installed in an aircraft shall not exceed the quantity required to be provided in the scale of emergency equipment prescribed under the regulations made in pursuance of the Commonwealth Air Navigation Act, 1920-1963 or any order issued thereunder.

(2) (a) The first-aid kits in which the drugs are stored shall be inspected by a medical officer or some other responsible person appointed for the purpose periodically and, when practicable, as soon as possible after a kit has been used in an emergency.

(b) A person authorised under this regulation to be in possession of drugs for installation in aircraft shall make provision for a medical practitioner or approved person to enter or cause to be entered in a register solely kept for that purpose a record of

(i) All supplies of the drugs purchased or otherwise obtained by him.

(ii) All quantities of the drugs supplied by him together with the designation number or letters of the aircraft in which the drugs are to be stored.

(iii) The date on and the place in which the drugs were used for emergency purposes on any particular aircraft, and the quantity so used.

(3) The holder of a licence under these regulations or other authorised persons may supply drugs pursuant to paragraph (1) of this regulation on the written order of a medical practitioner appointed by the person authorised to be in possession of such drugs or, if a medical practitioner has not been so appointed, on the presentation of the written order of such person endorsed by the Superintendent of Aviation Medicine, Department of Civil Aviation.

(4) The captain of an overseas aircraft engaged in public transport services which is in the State of South Australia is hereby authorised to purchase and be in possession of such quantity of drugs and preparations as may be certified in writing by the Superintendent of Aviation Medicine, Department of Civil Aviation, to be necessary for the equipment of the aircraft. The holder of a licence or other authorised person may supply any drugs in accordance with such certificate.

(5) A person who supplies a drug or preparation in accordance with a certificate or order given under this regulation shall cancel such certificate or order and retain it on a special file for a period of not less than two years.

Quantity Limited by Prescription

20. A person to whom a prescription for a drug has been issued is hereby authorised to procure and have possession of the drug to the extent specified in the prescription.

Supply, Procuring and Advertising

21. No person shall supply or procure or offer to supply or procure or cause to be supplied or procured to or for any person (including himself) or advertise for sale, any drug, or preparation containing a drug

(a) unless he is a medical practitioner, a registered dentist, a pharmaceutical chemist, a veterinary surgeon, a person holding an authority under regulations 9, 10, 12, 14 or 15 or is the holder of a licence or authority under these regulations to manufacture or carry on any process in the manufacture of or to procure, or have in his possession for distribution, any drug:

(b) otherwise than in accordance with the terms and conditions of his licence or authority and the provisions of these regulations.

Self-Administration

22. (1) No medical practitioner, veterinary surgeon or registered dentist authorised under these regulations to have in his possession or to prescribe a drug, shall use or prescribe or attempt to use or prescribe such drug for the purpose of self-administration.

(2) No pharmaceutical chemist or other person authorised or licensed under these regulations to sell a drug shall use or attempt to use such drug for the purposes of self-administration.

(3) No person authorised under these regulations except a person authorised under regulations 6 and 20 of these regulations, to be in possession of any drug shall use or attempt to use any drug in his possession for the purpose of self-administration.

Supply to Unauthorised Persons

23. Except in pursuance of a prescription given by a medical practitioner or a veterinary surgeon in accordance with the provisions of these regulations, no person shall supply or procure or offer to supply or procure, or cause to be supplied or procured, any drug to or for any person who is not licensed or otherwise authorised to be in possession of drugs:

Provided that the administration of any drug by or under the direct personal supervision, and in the presence of a medical practitioner, or by or under the direct personal supervision and in the presence of a registered dentist in the course of dental treatment or by or under the direct personal supervision and in the presence of a veterinary surgeon in the treatment of any animal, or by any person acting pursuant to an authority under regulations 14 and 15, or by a registered nurse acting pursuant to an authority under regulation 12 or acting under specific instructions of a medical practitioner shall not be deemed to be the supplying of a drug within the meaning of this regulation.

Authority to Dispense

30. (1) No person shall dispense a drug except upon a prescription complying with these regulations. Provided that a pharmaceutical chemist may at his discretion dispense upon one occasion only a prescription containing a dangerous drug, which is not in accordance with these regulations, but in every such instance he shall plainly and legibly stamp or write in ink in legible characters across the prescription the word "cancelled" together with his name and address and the date and shall retain such prescription.

(2) No person shall dispense any prescription which is presented more than six months after the date written on such prescription by the prescriber.

(3) A medical practitioner, pharmaceutical chemist, or veterinary surgeon, or an assistant under the direct personal supervision and control and in the presence of a medical practitioner or a pharmaceutical chemist shall be the only persons who shall dispense a dangerous drug.

(4) No person shall dispense a prescription marked "cancelled".

(5) No person shall dispense any prescription containing any drug if he has reason to believe that the prescription is not genuine.

(6) No person shall dispense any prescription which is illegible or defaced or which appears to have been altered.

(7) A prescription which the person to whom it is presented has reasonable grounds for suspecting of being forged or of having been fraudulently issued, or of not bearing the signature of a medical practitioner or veterinary surgeon shall, notwithstanding that it is not dispensed, be retained by the said person.

Dispensing

31. The following conditions shall be observed by persons dispensing prescriptions:

(i) Subject to the exceptions mentioned in paragraph IV of regulation 26 a drug shall not be supplied more than once on the same prescription, provided that if the prescription so directs the drug may be supplied subject to the lapse of a specific interval or of specified intervals on more than one occasion, as directed by the prescription, in accordance with paragraph IV of regulation 26.

(ii) The prescription shall be stamped, marked, or inscribed in writing with the date on which it is dispensed, and with the name and address of the person who dispenses it, and if capable of being repeated, with the number of times it may be so repeated before it is impounded in accordance with paragraph (iv) hereof. The person who dispenses the prescription for the last occasion as determined by the maximum mentioned in paragraph IV of regulation 26, shall attach to the package or container an adhesive label stating that "This prescription cannot be repeated without the consent in writing of your medical adviser".

(iii) The person who dispenses the prescription for the last occasion, as determined by the maximum mentioned in paragraph IV of regulation 26, shall in addition to the requirements mentioned in paragraph (ii), hereof, also write, stamp, mark, or inscribe in durable and legible letters across the face of the prescription the word "Cancelled". In the case of a prescription issued in duplicate under the provisions of the National Health Act, 1953 or any other Act of the Commonwealth, both the original and the duplicate prescriptions shall be so cancelled.

(iv) A cancelled prescription shall be retained by the person dispensing the same, and shall be preserved on a file for at least two years; except in the case of a retail pharmaceutical chemist who shall forward to the board, all such prescriptions retained and cancelled by him, quarterly or as otherwise required by the board. Provided that in the case of a prescription issued in duplicate under the provisions of the National Health Act, 1953, or any other Act of the Commonwealth, the duplicate prescription shall be forwarded in lieu of the original.

(v) In the case of a repeated prescription an entry in the prescription book of the particulars of the prescription signed or initialled and dated when dispensed shall be sufficient compliance with this regulation.

(vi) The label on the bottle or package containing the drug shall be marked with the identifying letters or numbers of the prescription as appearing in the prescription book.

(vii) The prescription book shall be kept at the place at which the drug is dispensed, and shall at all reasonable times be produced on demand to any person authorized in that behalf under the Act or regulations.

(viii) A medical practitioner or veterinary surgeon who dispenses any prescription shall enter particulars thereof in the register hereinafter specified.

Drug Register

32. (1) Every person who supplies any drug shall comply with the following provisions:

I. He shall enter or cause to be entered in a register solely kept for that purpose a record of all supplies of the drugs purchased or otherwise obtained by him and of all quantities supplied by him.

II. The register may be kept in the form contained in the third schedule or in any simple form of debit and credit entry.

III. A separate folio shall be kept for each form of each drug.

IV. The entries shall be made in the register in ink on the day on which the drugs are received or disposed of, or, when that is not reasonably practicable, on the day immediately following.

V. Where business is carried on at more than one place of business, a separate register shall be kept in respect of each such place of business.

VI. The register shall be kept in some part of the premises to which it relates, so that it shall at all reasonable times be available for inspection.

VII. No entry which is untrue in any particular shall be made in the register, nor shall any entry therein be obliterated, cancelled, or altered: any mistake in the entry may be corrected by a marginal note or footnote in ink, which shall give the correct particulars and bear the date of such correction.

VIII. He shall on 31st March, 30th June, 30th September and 31st December of each year and at such other times as may be required by the Board, balance off his register and enter therein on the appropriate pages the following particulars for each and every drug in his possession:

(i) the stock on hand;
(ii) the total amount supplied and/or dispensed by him;
(iii) the total of the various quantities purchased by him during the preceding three months.

(2) A medical practitioner who keeps a record in a daybook showing the particulars of any drugs supplied by him to any patient, and the name and address of the patient and date of supply, may (in lieu of keeping the register required by these regulations) enter separately in a book kept for the purpose references under the appropriate dates to the records in such daybook of any supply of a drug. The provisions of paragraph (1) of this regulation shall, with the exception of subdivision II. thereof apply to the separate book permitted above.

(3) If any drug in the possession of a medical practitioner is administered to a patient by the medical practitioner or is administered to a patient under the direction of and in the presence of a medical practitioner, no record of the supply of the drug shall be required.

Other Records of Disposal

33. Any person not hereinbefore expressly referred to, who is authorized to have drugs in his possession shall keep a record of the quantities of the drugs obtained by him, disposed of by him and the quantity remaining in his possession.

Authority to Deliver

34. A drug shall not be delivered to any person not licensed or otherwise authorized to be in possession thereof unless he produces an authority in writing signed by a licensed or authorized person entitling him to receive the same on behalf of such licensed or authorized person, and unless the person supplying such drug has no reason to believe that the authority is not genuine. This regulation shall not apply to medicines dispensed in pursuance of these regulations.

Part III. Regulations relating to crude drugs and certain other drugs for manufacturing, scientific or research purposes.

35. This part of these regulations shall apply to

(1) raw opium, concentrate of poppy straw, poppy straw, Indian Hemp, Hashish and Coca leaves.

(2)

Non-proprietary Name	Chemical Name
DET	N,N-diethyltryptamine
DMHP	3-(1,2,-dimethylheptyl)-7,8,9,10-tetra-hydro-6,6,9-trimethyl-6 H-dibenzo (b,d) pyran-1-ol
DMT	N,N-dimethyltryptamine
LSD, LSD-25	(+)-N,N-diethyllysergamide (d-lysergic acid diethylamide)
mescaline	3,4,5-trimethyoxyphenethylamine
parahexyl	3-hexyl-7,8,9,10-tetra-hydro-6,6, 9-trimethyl-6H-dibenzo (b,d) pyran-1-ol
psilocine, psilotsin	3-(2-dimethyulaminoethyl) indol-4-ol
psilocybine [3/]	3-(2-dimethyulaminoethyl) indol-4-yl dihydrogen phosphate

Non-proprietary Name	Chemical Name
STP, DOM	2,5-dimethoxy-4-methylphene thylamine
tetrahydrocannabinols, all isomers	3-pentyl-6a, 7-10, 10a-tetra-hydro-6,6,9-trimethyl-6H, dibenzo (b,d) pyran-1-ol
Heroin	Diacetyl Morphine

The salts of the drugs listed in this regulation whenever the existence of such salts is possible. Any preparation, admixture, extract or other substance containing any proportion of the drugs listed in this Regulation.

36. The provisions of paragraph (a) of subsection (1) of Section 5 of the Act shall not apply to a person

(1) who holds a licence under Regulation 17 of these regulations and that licence authorises him to have in his possession any drug to which this part of these regulations applies for manufacturing purposes and disposition by wholesale or

(2) who upon the recommendation of the Board is authorised in writing by the Minister to have in his possession any drug to which this part of these regulations applies for analytical, medical, scientific or research purposes.

37. A person licensed or authorised under this part of these regulations shall keep a record in accordance with the provisions of paragraph (1) of regulation 32 of these regulations or where applicable in accordance with the provisions of the Customs Act, 1901-1966 or the Narcotic Drugs Act, 1967, of the quantities of drugs obtained by him, used by him for manufacturing, analytical, medical, scientific or research purposes, disposed of by him and the quantity remaining in his possession.

Part IV. Regulations relating to Preparations of certain Drugs

Drugs

38. This part of these regulations shall when so proclaimed by the Governor apply to

(1) Preparations of:

Acetyldihydrocodeine;

Codeine;

Dihydrocodeine;

Ethylmorphine;

Norcodeine;

Pholcodine and their respective salts;

when compounded with one or more other ingredients and containing not more than 100 milligrammes of the drug per dosage unit and with a concentration of not more than 2.5 per cent in undivided preparations.

(2) Preparations of cocaine containing not more than 0.1 per cent of cocaine calculated as cocaine base and preparations of opium or morphine containing not more than 0.2 per cent of morphine calculated as anhydrous morphine base and compounded with one or more other ingredients in such a way that the drug cannot be recovered by readily applicable means or in a yield which would constitute a risk to public health.

(3) Preparations of diphenoxylate containing not more than 2.5 milligrammes of diphenoxylate calculated as base and not less than 25 microgrammes of atropine sulphate per dosage unit.

(4) Pulvis ipecacuanhae et opit compositus

10 per cent opium in powder

10 per cent ipecacuanha root, in powder well mixed with 80 per cent of any other powdered ingredient containing no drug.

(5) Preparations conforming to any of the formulae listed in this regulation and mixtures of such preparations with any material which contains no drug.

Records

39. (1) A manufacturer of any preparation to which this Part applies and a wholesale dealer in any such preparation shall keep every invoice or other like record issued in respect of each quantity of any such preparation obtained by him and in respect of each quantity of any such preparation supplied by him.

(2) A retail dealer in any such preparation as aforesaid shall keep every invoice or other like record issued in respect of each quantity of any such preparation obtained by him.

Part V. Miscellaneous

Licences and Authorities

40. Every licence or authority issued or granted shall be issued or granted by the Minister upon the recommendation of the board, and may be issued or granted upon such terms and subject to such conditions as the board thinks fit.

Withdrawal of Authorities

41. (1) Any licence or authority issued or granted under these regulations or authority given by the operation of these regulations may be withdrawn by the Minister upon the recommendation of the board.

(2) If the authority of any medical practitioner or veterinary surgeon is withdrawn, and notice in writing of the withdrawal is given by the Minister to the medical practitioner or veterinary surgeon, he shall not give any prescription containing any drug. Any such notice may be given by post.

(3) (a) Where the licence or authority of any person has been withdrawn under these regulations the Minister may at any time upon the recommendation of the board reissue or regrant such licence or authority.

(b) The board may, before recommending to the Minister the reissue or regranting of any withdrawn licence or authority, make such inquiry and may require the production of such certificates or documents as it deems fit.

Appeals

42. (1) There shall be an appeal to a Judge of the Supreme Court against any determination of the Minister or the board with respect to a licence or authority.

(2) Until otherwise provided by rules of court

(a) any such appeals shall be commenced within one month from giving of the determination appealed against;

(b) all proceedings on or in connection with any such appeal shall be conducted as if it were an appeal against the order of a court of summary jurisdiction;

(c) any notice or other document which, if the appeal were an appeal against an order of a court of summary jurisdiction, would be required to be served by the appellant on any person, may be served on the secretary of the board, and any such service shall be deemed sufficient.

Storage

43. Drugs shall be stored apart from other goods (cash or documents excepted) in a cabinet, case, or other receptacle, which can be securely locked up, and the following provisions shall apply thereto:

I. In the case of a pharmaceutical chemist all drugs in his possession shall be locked up during such time as a pharmaceutical chemist is not dispensing or supplying the same in accordance with the provisions of these regulations.

He shall retain a key or keys on his person while he remains on the premises where such drugs are kept and shall not leave any such key on the premises during his absence therefrom. The cabinet, case or other receptacle shall comply with the specification set out in paragraph IV of this regulation.

II. A drug in the custody of a person authorized by these regulations to be in possession thereof shall, except when the necessities of the practice of the profession, function or employment by virtue of which that person is authorized as aforesaid otherwise require, be stored in a locked receptacle which can be opened only by the authorized person responsible for the control and safe custody of such drug.

III. When under the control or in the custody of a wholesale dealer or importer, drugs shall be stored apart from any other goods in a securely locked room or cupboard.

Such room or cupboard shall be approved (in writing) by the South Australian Health Commission and shall provide security equivalent to or better than would be provided in conformity with the specifications contained in paragraph IV of this regulation.

IV. (1) For the purposes of this regulation the cabinet, case or other receptacle (hereinafter referred to as "the safe") shall conform with the following specifications, it shall:

(a) be constructed of black mild steel plate built not less than 9.5 mm thick;

(b) be constructed with continuous welding of all edges;

(c) be fitted with a door constructed of mild steel plate not less than 9.5 mm thick, the door being flush fitting with a clearance around the door of not more than 1.6 mm;

(d) have a fixed locking bar welded to the inside face of the door near the hinged edge which engages in a rebate in the safe body when the door is closed;

(e) be fitted with a five lever keylock or locking mechanism providing at least equivalent security either of which must be securely affixed to the rear face of the door;

(f) be attached to the wall or floor of the premises in accordance with subparagraph (g) or (h) of this paragraph;

(g) where mounted on a brick or concrete wall or floor be attached to such wall or floor by means of suitably sized expanding bolts through holes 9.5 mm diameter drilled in the rear or bottom of the safe;

(h) where mounted on a timber frame wall or floor be attached to such wall or floor frame by means of suitable-sized coach screws through holes 9.5 mm diameter drilled in the rear or bottom of the safe;

(i) where the wall or floor is constructed of material other than brick or concrete or with other than a timber frame be attached to such wall floor or frame in such manner as may be approved in writing by the South Australian Health Commission.

(2) If the South Australian Health Commission is satisfied that any safe provides equivalent or better security than one conforming with these specifications he may give written approval for the use of such safe.

Retention of Records

44. All books, records, and documents which are by these regulations required to be kept or retained shall, in the case of such books or records, be preserved for a period of two years from the date on which the last entry is made therein, and in the case of any document for a period of two years from the date on which the same is first received.

Carriers

45. A common carrier or his employee is hereby authorised to be in possession of any drug so far only as such possession is necessary for the transport of such drug in the ordinary course of business.

Veterinary Surgeons and Practitioners

46. A person registered as a veterinary surgeon or veterinary practitioner pursuant to the Veterinary Surgeons Act, 1935-1968, shall be a person qualified in accordance with these regulations.

Variation of Schedule to the Act

47. It is hereby declared that the substances and preparations included in the list in the schedule to the Act are removed from the said list.

Application of Poison Regulations

48. The provisions of any regulations made under the Food and Drug Act, 1908-1976, relating to poisons, shall apply to dangerous drugs except as to the matters provided for by these regulations.

Change of Address

49. Every person to whom a licence or authority under regulations 7, 9, 10, 11, 12, 15 is issued or granted under these regulations or authority is given by the operation of these regulations shall, within fourteen days after any change in the place of business or practice of such person, give notice in writing to the board of the change.

Analyst's Certificate

50. An analyst appointed under the Food and Drugs Act, 1908-1976, analysing any drug or substance submitted to him in pursuance of these regulations may give a certificate in the form in the fourth schedule.

Prescribed Quantities

51. (1) The following quantities of the drugs listed are prescribed for the purposes of subsection (4) of section 5 of the Act.

Substance	Prescribed Quantity grams
Acetorphine	2.0
Acetyldihydrocodeine except in preparations to which Part IV of the regulations apply	2.0
Acetylmethadol	2.0
Allylprodine	2.0
Alphacetylmethadol	10.0
Alphameprodine	0.2
Alphamethadol	0.2
Alphaprodine	25.0
Amphetamine	2.0
Anileridine	25.0
Benzethidine	10.0
Benzylmorphine	5.0
Betacetylmethadol	5.0
Betameprodine	5.0
Betamethadol	5.0
Betaprodine	5.0
Bezitramide	5.0
Bufotenine	2.0
Cannabinoids	2.0
Clonitazene	5.0
Cocaine except in preparations to which Part IV of the regulations apply	2.0
Coca Leaf	800.0
Codeine except in preparations to which Part IV of the regulations apply	10.0
Codeine-N-oxide	10.0
Codoxime	10.0
Desomorphine	2.0
Dexamphetamine	2.0

Substance	Prescribed Quantity grams
Dextromoramide	5.0
Diampromide	5.0
Diethylthiambutene	5.0
N,N-Diethyltryptamine	2.0
Dihydrocodeine except in preparations to which Part IV of the regulations apply	10.0
Dihydromorphine	10.0
Dimenoxadol	10.0
Dimepheptanol	10.0
Dimethylthiambutene	20.0
N,N-Dimethyltryptamine	2.0
Dioxaphetylbutyrate	2.0
Diphenoxylate except in preparations to which Part IV of the regulations apply	2.0
Dipipanone	10.0
DMHP	2.0
Ecgonine	10.0
Ethylmethylthiambutene	10.0
Ethylmorphine except in preparations to which Part IV of the regulations apply	2.0
Etonitazene	5.0
Etorphine	5.0
Etoxeridine	5.0
Fentanyl	0.005
Furethidine	1.0
Heroin	2.0
Hydrocodone	2.0
Hydromorphinol	2.0
Hydromorphone	2.0
Hydroxypethidine	5.0
Indian Hemp	100.0
Indian Hemp Resin	20.0
Isomethadone	4.0
Ketobemidone	2.0
Levophenacylmorphan	1.0
Levorphanol	1.0
(+)-Lysergide	0.002
Mescaline	7.5
Metazocine	7.0
Methadone	2.0
Methaqualone	5.0
Methylamphetamine	2.0
Methyldesorphine	2.0
Methyldihydromorphine	2.0
Methylphenidate	2.0

Substance	Prescribed Quantity grams
Metopon	2.0
Morpheridine	2.0
Morphine except in preparations to which Part IV of the regulations apply	2.0
Morphine-N-oxide	2.0
Myrophine	20.0
Nicocodine	2.0
Nicodicodine except in preparations to which Part IV of the regulations apply	2.0
Nicomorphine	2.0
Noracymethadol	2.0
Norocodeine except in preparations to which Part IV of the regulations apply	2.0
Norlevorphanol	2.0
Normethadone	5.0
Normorphine	20.0
Norpipanone	10.0
Opium except in preparations to which Part IV of the regulations apply	20.0
Oxycodone	5.0
Oxymorphone	2.0
Parahexyl	0.1
Pethidine	10.0
Phenadoxone	10.0
Phenampromide	10.0
Phenazocine	1.0
Phenmetrazine	5.0
Phenomorphan	5.0
Phenoperidine	1.0
Pholcodine except in preparations to which Part IV of the regulations apply	5.0
Piminodine	10.0
Pipradrol	1.0
Piritramide	1.0
Proheptazine	1.0
Properidine	25.0
Psilocine	0.1
Psilocybine	0.1
Racemethorphan	6.0
Racemoramide	8.0
Racemorphan	2.0
S.T.P.	2.0
Tetrahydrocannabinols	2.0
Thebacon	2.0
Thebaine	2.0

Substance	Prescribed Quantity grams
Trimeperidine	10.0
4-Bromo-2,5-Dimethoxyamphetamine	0.5
4-Bromo-3,5-Dimethoxyamphetamine	0.5
3-Bromo-4-Methoxyamphetamine	0.5
4-Bromo-3-Methoxyamphetamine	0.5
2,4-Dimethoxyamphetamine	0.5
2,5-Dimethoxyamphetamine	0.5
3,4-Dimethoxyamphetamine	0.5
3,4-Dimethoxy-5-Ethoxyamphetamine	0.5
2,5-Dimethoxy-4-Ethoxyamphetamine	0.5
4,5-Dimethoxy-2-Ethoxyamphetamine	0.5
2,5-Dimethoxy-4-Methylamphetamine	0.5
2, 3-Dimethoxy-4, 5-Methylenedioxyamphetamine	0.5
2, 5-Dimethoxy-3, 4-Methylenedioxyamphetamine	0.5
3,4-Dimethoxyphenylethylamine	0.5
4,5-Ethylenedioxy-3-Methoxyamphetamine	0.5
4-Methoxyamphetamine	0.5
2-Methoxy-3,4-Methylenedioxyamphetamine	0.5
2-Methoxy-4,5-Methylenedioxyamphetamine	0.5
3-Methoxy-4,5-Methylenedioxyamphetamine	0.5
4-Methoxy-2,3-Methylenedioxyamphetamine	0.5
2-Methoxy-3,4-Methylenedioxyphenylethylamine	0.5
3-Methoxy-4,5-Methylenedioxyphenylethylamine	0.5
4-Methoxyphenylethylamine	0.5
3,4-Methylenedioxyamphetamine	0.5
2,3,4,5-Tetramethoxyamphetamine	0.5
2,3,4-Trimethoxyamphetamine	0.5
2,3,5-Trimethoxyamphetamine	0.5
2,3,6-Trimethoxyamphetamine	0.5
2,4,5-Trimethoxyamphetamine	0.5
2,4,6-Trimethoxyamphetamine	0.5
3,4,5-Trimethoxyamphetamine	0.5
1-(3,4,5-Trimenthoxyphenyl)-2-Aminobutane	0.5
2,4,5-Trimethoxyphenylethylamine	0.5

(2) A reference to a substance listed shall include the salts of the substances listed whenever the existence of such salts is possible and in the case of any such salts the prescribed quantity shall be calculated as the base substance.

(3) The prescribed quantity of any substance listed shall include any preparation, admixture, extract or other substance, whether crude or refined, containing any proportion of the substances listed.

Prescribed Qualifications

52. For the purposes of subsection (7a) of Section 14 of the Act the prescribed qualifications shall be a Bachelor of Science Degree, majoring in Botany, or a Bachelor of Agricultural Science degree.

A person holding the prescribed qualifications examining any plant or part thereof submitted to him for the purpose of ascertaining the genus thereof may give a certificate in the form of the Sixth Schedule.

THE FIRST SCHEDULE

Narcotic and Psychotropic Drugs Act, 1934-1977

FORM OF APPLICATION FOR A LICENCE TO MANUFACTURE AND/OR DISPOSE OF BY WHOLESALE A DRUG

To the Secretary, Central Board of Health, Adelaide.

Sir,

I, the undersigned (1).....residing at (2).....in the State of South Australia (3).....trading as (4)..... hereby apply for a licence under the Narcotic and Psychotropic Drugs Act, 1934-1977 to manufacture and/or to dispose of by wholesale, to authorized persons the following drugs, namely (5).....at my premises situated at (6)..... (7).....(8).....

Dated this.....day of .....19 .

.....
(Signature)

(1) Here insert full name of applicant.

(2) Here insert the private address.

(3) Here insert occupation and professional qualification (if any).

(4) Here insert trading or firm name.

(5) Specify the drug or drugs.

(6) Set out full address of the premises.

(7) Specify the nature of premises and plant used for the manufacture of the drug.

(8) In the case of a manufacturer or packer, state the name of the person to be approved under regulation 17 (c). In the case of a licence to purchase and dispose of drugs by wholesale dealing, state the name of an adult person responsible for control.

THE SECOND SCHEDULE

Narcotic and Psychotropic Drugs Act, 1934-1977

LICENCE UNDER THE NARCOTIC AND PSYCHOTROPIC DRUGS ACT, 1934-1977, TO MANUFACTURE AND/OR DISPOSE OF BY WHOLESALE A DRUG.

.....of.....in the State of South Australia, residing at.....is hereby licensed on the recommendation of the Central Board of Health to manufacture and/or to dispose of by wholesale to authorized persons the following drugs, namely..... at his premises situated at..... upon the terms and conditions following namely:

This licence unless sooner cancelled, shall remain in force until 30th September,.....

Dated this.....day of.....19 .

.....
Minister

THE THIRD SCHEDULE

Narcotic and Psychotropic Drugs Act, 1934-1977

REGISTER OF DRUGS

Separate parts of the register must be kept for each form and strength of each drug.

DRUG

Suitable Units

Date	Name and Address of Person or Firm	In	Out	Balance or Stock Quarterly	Pre-scriber's Name	Pre-scription or Order Number	Initials of Dispenser Signature of Purchaser

THE FOURTH SCHEDULE

Narcotic and Psychotropic Drugs Act, 1934, as amended - Certificate Pursuant to Section 14

To.....

.....

.....

I, hereby certify that

1. I am an analyst appointed under the Food and Drugs Act by notice published in the S.A. Government Gazette on the day of , 19 at page and hold the professional qualifications of

2. A drug of other substance namely was submitted to me for analysis by * sealed and marked on the day of , 19 .

3. The nature of the analysis to which I submitted the drug or substance was

4. The result of the analysis was that

As witness my hand this day of , 19 , at Adelaide.

.....
Analyst

---

* Here insert the name of the person delivering or consigning the sample.

THE FIFTH SCHEDULE

DRUG ADMINISTRATION RECORD

Ward or Department.....

Name and Dose of Drug.....

Date	Time	Name of Patient	Dose	Signature of Person Administering	Checked by	Name of Signature of Authorising Medical Officer	Stock in Hand	Stock Receiving

THE SIXTH SCHEDULE

Narcotic and Psychotropic Drugs Act, 1934, as amended - Certificate Pursuant to Section 14

To.....

.....

.....

I, the undersigned, a person who holds the prescribed qualifications under the Act, being the holder of

1. A Bachelor of Science Degree majoring in Botany

OR

2. A Bachelor of Agricultural Science Degree (Strike out whichever is not applicable) do hereby certify that

+3. A plant/plants (a part of a plant/plants) was submitted to me *by

sealed and marked

on the day of , 19 for the purpose of ascertaining the genus thereof.

4. I am of the opinion:

As witness my hand this day of , 19 , at Adelaide.

.....

*Here insert the name of the person delivering or consigning the sample.

+Strike out whatever is not applicable.

And the Honourable the Minister of Health is to give the necessary directions herein accordingly.

K. E. OBST, Clerk of the Council

SOUTH AUSTRALIA

E/NL.1979/38

REGULATIONS UNDER THE NARCOTIC AND PSYCHOTROPIC DRUGS ACT, 1934-1978

At the Executive Council Office, at Adelaide, this 14th day of September, 1978

BY virtue of the provisions of the Narcotic and Psychotropic Drugs Act, 1934-1978, and all other enabling powers, I, the Governor of the State of South Australia, the Minister to whom the administration of the said Act is for the time being committed having submitted the regulations hereunder to the Pharmacy Board of South Australia and the said Minister having considered representations made by the said Board, do with the advice and consent of the Executive Council, hereby make the following regulations.

K. D. SEAMAN, Governor

Regulations under the Narcotic and Psychotropic Drugs Act, 1934-1978 4/

1. The regulations made under the Narcotic and Psychotropic Drugs Act, 1934-1977, on the 19th day of January, 1978, and published in the Government Gazette on the same day at page 305 and therein referred to as the "Narcotic and Psychotropic Drugs Regulations, 1978" are hereinafter referred to as "the principal regulations".

2. The principal regulations as varied by these regulations may be cited as the "Narcotic and Psychotropic Drugs Regulations, 1978".

3. The following regulations are inserted after Regulation 23 of the principal regulations:

ISSUE OF PRESCRIPTIONS

24. No person other than a medical practitioner or a veterinary surgeon shall write or issue a prescription for the purpose of attempting to procure a drug for himself or any other person.

FALSE NAMES

25. For the purposes of the Act and notwithstanding anything contained in these regulations, a drug to which the Act applies shall not be deemed to have been supplied for the use of any person by a legally qualified medical practitioner or a veterinary surgeon qualified in accordance with these regulations or on and in accordance with a prescription complying with these regulations if such person

(a) gives a false name or address to the medical practitioner or veterinary surgeon supplying the drug or issuing the prescription; or

(b) at the time of supply of the drug or issue of the prescription, fails to notify the medical practitioner or veterinary surgeon supplying the drug or issuing the prescription to him of the names and addresses (if any) of all other medical practitioners and/or veterinary surgeons who have within the preceding period of two months supplied him with or issued to him prescriptions for the same or a similar drug.

PRESCRIPTIONS

26. Except in the case of emergency, as provided for in regulation 29, a prescription for the supply of a drug shall comply with the following conditions:

i. The prescription shall be in writing in ink, shall be dated and signed with the usual signature of the person authorised to give it, and shall specify his own address and the name and address of the person for whom the prescription is given.

ii. A prescription for a drug when given by a veterinary surgeon shall be for the purposes of treatment of animals only and shall be marked, "for treatment of a (here describe kind of animal) only."

iii. Every person who writes a prescription containing a drug shall specify, if it prescribes a preparation contained, or compounded of preparations all of which are contained, in the British Pharmacopoeia, the British Pharmaceutical Codex or the Australian and New Zealand Pharmaceutical Formulary, the total amount of the preparation or of each preparation, as the case may be, and in any other case the total amount of the drug to be supplied.

iv. Every medical practitioner who writes a prescription containing a drug shall write in such prescription the actual number of times the prescription shall be dispensed. The maximum number of times shall not exceed four occasions, always provided that in the case of a prescription signed by a medical practitioner stating that the drug is required for a person suffering from a chronic or malignant disease the prescription may direct that the drug may be supplied to the lapse of a specified interval or specified intervals as directed in the prescription, but the total time covered by such intervals shall not exceed two months.

v. Where the prescription contains an unusual, or what may be regarded as a dangerous dose, the prescriber shall indicate that the dose is intended by underlining that part of the prescription and by inserting his initials in the margin.

vi. The use of a rubber stamp or other such contrivance in lieu of the written signature on a prescription for a drug is hereby prohibited.

vii. The prescription shall not be written in a secret code or cypher.

viii. Except in cases of emergency the use of paper other than a prescription blank bearing the prescriber's name and address is hereby prohibited.

AMPHETAMINES

"26A. The following additional conditions shall apply to:

Amphetamine 3/	Dexamphetamine
Methamphetamine	Methylphenidate
Phenmetrazine	

their salts and any preparation, admixture, extract or other substance containing any proportion thereof.

"(1) A person other than a medical practitioner shall not issue a prescription for, or order or direct the therapeutic use of or supply in the course of practice any drug to which this regulation applies.

"(2) A medical practitioner shall not sell or supply or issue a prescription for any drug to which this regulation applies unless

"(a) the drug is for the treatment of narcolepsy or a hyperkinetic brain damaged child; or

"(b) he has the authority, in writing, of the South Australian Health Commission.

"(3) A prescription issued in accordance with paragraph (a) of the sub-regulation (2) shall be endorsed by the medical practitioner with the words "written in accordance with the provisions of Regulation 26A" or words to that effect.

"(4) A prescription issued in accordance with paragraph (b) of subregulation (2) shall have attached thereto the authority, in writing, of the South Australian Health Commission.

"(5) A person shall not dispense a prescription for a drug to which this regulation applies unless that prescription complies fully with the requirements of this part of the regulations and of this regulation."

SUPPLY MERELY FOR ADDICTION

27. (1) A medical practitioner or veterinary surgeon shall not knowingly give a prescription for a drug merely for the purpose of addiction.

(2) A medical practitioner, veterinary surgeon, registered dentist, pharmaceutical chemist, or registered nurse, or any other person shall not knowingly supply or administer a drug merely for the purposes of addiction.

NOTIFICATION OF ADDICTS AND EXTENDED TREATMENT

28. (1) Any medical practitioner who is treating a drug addict in the course of his medical practice and who considers it necessary for the purposes of such treatment that such addict should receive rational supplies of any drug shall forthwith report in writing the case of such drug addict to the Board, which may at its discretion permit such medical practitioner to prescribe such quantities of the drug in question as it shall deem necessary. Any medical practitioner who prescribes a drug for the treatment of a drug addict whom he is treating in the course of his medical practice without the written authority of the Board or in excess of the quantity permitted in such case by the Board, shall be guilty of an offence against these regulations.

(2) No medical practitioner who has been prescribing or supplying any drug for any patient in the course of his medical practice for a continuous period of two calendar months, shall prescribe or supply any further quantity of any drug for such patient unless and until he has reported the case of such patient to the Board. The Board may at its discretion require further periodic reports from such medical practitioner and may permit him to prescribe such quantities of the drug in question as it shall deem necessary.

TELEPHONED PRESCRIPTIONS

29. In an emergency case where a prescription is issued orally to any pharmaceutical chemist by telephone, the prescription shall forthwith be reduced to writing and given or dispatched without delay to the pharmaceutical chemist by the person issuing it. The prescription shall state clearly that it has been given in confirmation of that previously ordered orally. The requirements of this regulation shall be complied with within twenty-four hours.

And the Honourable the Minister of Health is to give the necessary directions herein accordingly.

K. E. OBST, Clerk of the Council