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## PUBLIC HEALTH DELEGATIONS MANUAL

### Secretary delegations

#### Amendment 171 (15/07/24)

#### Chapter 1 – Drug Misuse and Trafficking Act

#### Chapter 6 – Poisons and Therapeutic Goods Act

#### Chapter 9 – Miscellaneous Acts

The Public Health Delegations Manual has been formatted to reflect NSW Government Branding Guidelines (change in font).

Amendment to the Secretary's delegations in Chapters 1, 6 and 9, updating the title change Director Pharmaceutical Services Transformation.

Replaced pages
<b>Chapter 1</b> – all pages in Chapter 1
<b>Chapter 6</b> – pages 6.2-6.17, 6.19, 6.21, 6.25–6.61, 6.64-6.72, 6.74-6.98, 6.100-6.102, 6.104-6.105, 6.108-6.110
<b>Chapter 9</b> – page 9.4

Manuals are available on the Internet at

<http://www.health.nsw.gov.au/policies/manuals/Pages/default.aspx>

If you require details of a past amendment, please email [MOH-CGRM@health.nsw.gov.au](mailto:MOH-CGRM@health.nsw.gov.au)

**Grant** of an authority to be in possession of a prohibited drug for scientific research, instruction, analysis or study.

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**Provided that** in the case of the Director, Forensic & Analytical Science Service this delegation may be exercised **only** in respect of staff of the NSW Health Pathology Forensic & Analytical Science Service.

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**Refer** section 10(2)(b) Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR FORENSIC & ANALYTICAL SCIENCE SERVICE*

**Authorisation** of a person to be in possession of any item of equipment for use in the administration of a prohibited drug.

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**Refer** section 11(2)(d) Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR CENTRE FOR POPULATION HEALTH  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

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**DRUG MISUSE AND TRAFFICKING ACT****1.4**

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**Authorisation** of a person to administer a prohibited drug to another person.

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**Refer** section 13(2)(b) Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR ALCOHOL AND OTHER DRUGS*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*DIRECTOR ALCOHOL AND OTHER DRUGS CLINICAL SERVICES AND PROGRAMS*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Authorisation** of a person to possess, supply or cultivate a prohibited plant, where the delegate is satisfied that such an activity is for the purpose of scientific research, instruction, analysis or study.

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**Provided that** in the case of the Director, Forensic & Analytical Science Service this delegation may be exercised **only** in respect of staff of the NSW Health Pathology Forensic & Analytical Science Service.

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**Refer** section 23(4)(b) Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR FORENSIC & ANALYTICAL SCIENCE SERVICE*

**Grant** of an authority to a person to manufacture or produce a prohibited drug, where the delegate is satisfied that such an activity is for the purpose of scientific research, instruction, analysis or study.

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**Provided that** in the case of the Director, Forensic & Analytical Science Service this delegation may be exercised **only** in respect of staff of the NSW Health Pathology Forensic & Analytical Science Service.

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**Refer** section 24(4)(b) Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR FORENSIC & ANALYTICAL SCIENCE SERVICE*

**Grant** of an authority to a person to supply a prohibited drug, where the delegate is satisfied that such supply is for the purpose of scientific research, instruction, analysis or study.

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**Refer** section 25(4)(b) Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to make a written request to the Commissioner of Police to release a court exhibit of a prohibited drug to a person or body specified in the request for the purpose of scientific research, instruction, analysis or study.

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**Refer** section 39J Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



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**DRUG MISUSE AND TRAFFICKING ACT****1.9**

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**Power** to sign certificates for the purposes of legal proceedings that any person is or is not a person holding a licence, permit or authority under the Poisons & Therapeutic Goods Act 1966.

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**Refer** section 42 Drug Misuse and Trafficking Act 1985.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to revoke, at any time, an authorisation or designation given for the purposes of section 10(4)(c) for any reason that is considered appropriate; **and**

**Notification** of the **revocation**, in writing with specified reasons, to the person, hospital or institution concerned.

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**Refer** section 10(5) and 10(6) Poisons and Therapeutic Goods Act 1966.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

1. **Power** to authorise a person, whether specifically or as a member of a class, to supply otherwise than by wholesale, any substance specified in Schedule 1, 2 or 3 of the Poisons List, for the purpose of section 10(2)(b).
  2. **Power** to authorise a person, whether specifically or as a member of a class, to supply a restricted substance, otherwise than by wholesale, for the purposes of section 10(4)(d).
  3. **Power** to designate, in writing, a hospital or institution, including a class of hospital or institution, for the purposes of section 10(4)(c).
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**Refer** section 10(7) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Authorisation** of persons to obtain possession of a prescribed restricted substance for the purposes of their profession or employment and determination of conditions.

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**Refer** section 16(l)(d) Poisons and Therapeutic Goods Act 1966.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Authorisation** in writing of nurse practitioners and midwife practitioners, or a class of those practitioners, to possess, use, supply or prescribe any poison or restricted substance or drug of addiction for the purposes of the practice of a nurse practitioner's or midwife practitioner's profession.

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**Refer** section 17A Poisons and Therapeutic Goods Act 1966.  
clause 5 Poisons and Therapeutic Goods Regulation 2008

**Procedures:**

- Authorities can be granted to a practitioner or class of practitioners.
- The delegate may also amend or revoke any authorisation given under this delegation.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
CHIEF EXECUTIVE LOCAL HEALTH DISTRICTS  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
CHIEF NURSING & MIDWIFERY OFFICER

**Power** to prohibit or restrict a “relevant person” (as defined in section 18AA), by order in writing served on that person, from possessing, supplying or prescribing a substance specified in Schedule 2, 3 or 4 of the Poisons List that the person is licensed or authorised by or under the Act to possess, supply or prescribe. Such an order may be made on any one or more of the grounds listed in section 18AA(3). This delegation also empowers the delegate to exercise the Secretary’s power under subsections 18AA (3)(c) and (3)(d).

Such an order may, under subsection 18AA (4), be made unconditionally or subject to conditions and subject to any specified exceptions or factors of application. Orders should generally comply with the provisions of section 18AA, such as specifying the grounds and date of effect.

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**Refer** section 18AA Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of a medical practitioner as a prescriber of drugs of addiction, on the recommendation of the Medical Committee and taking into consideration any report from that Committee.

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**Refer** section 28A(l) Poisons and Therapeutic Goods Act 1966 and section 29(4) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
EXECUTIVE DIRECTOR ALCOHOL AND OTHER DRUGS  
DIRECTOR ALCOHOL AND OTHER DRUGS CLINICAL SERVICES AND PROGRAMS*

**Receipt** of applications to become a medical practitioner approved as a prescriber of drugs of addiction, and referral of those applications to the Medical Committee constituted under section 30 of the Act.

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**Refer** section 28A(2) Poisons and Therapeutic Goods Act 1966 and section 29(2) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
SENIOR PHARMACEUTICAL OFFICER  
PHARMACEUTICAL OFFICER  
EXECUTIVE DIRECTOR ALCOHOL AND OTHER DRUGS  
DIRECTOR ALCOHOL AND OTHER DRUGS CLINICAL SERVICES AND PROGRAMS*



**Authority** to require the provision of information relevant to an application to become a medical practitioner approved as a prescriber of drugs of addiction, both in the application, and before approval of the application.

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**Refer** section 28A(3) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
EXECUTIVE DIRECTOR ALCOHOL AND OTHER DRUGS  
DIRECTOR ALCOHOL AND OTHER DRUGS CLINICAL SERVICES AND PROGRAMS*

**Approval**, with or without specified conditions, of a medical practitioner as a prescriber of drugs of addiction.

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**Refer** section 28A(4) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*EXECUTIVE DIRECTOR ALCOHOL AND OTHER DRUGS*

*DIRECTOR ALCOHOL AND OTHER DRUGS CLINICAL SERVICES AND PROGRAMS*

**Power** to, on the recommendation of the Medical Committee:

- revoke an approval or a condition of an approval;
- amend a condition of an approval;
- impose a condition of an approval that was an unconditional approval; or
- impose an additional condition of an approval

in relation to an approval issued to a medical practitioner to prescribe drugs of addiction.

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**Refer** section 28A(6) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Suspend** an approval or impose or amend a condition of an approval issued to a medical practitioner to prescribe drugs of addiction pending receipt of a recommendation from the Medical Committee for the purposes of section 28A(6).

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**Refer** section 28A(7) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Arrange** the referral of an approval under Section 28A to the Medical Committee for review and a report and recommendation.

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**Refer** section 28A(8) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
EXECUTIVE DIRECTOR ALCOHOL AND OTHER DRUGS  
DIRECTOR ALCOHOL AND OTHER DRUGS CLINICAL SERVICES AND PROGRAMS*

**Refusal** of an application or referral for report and recommendation by the Medical Committee any question arising under section 28A of the Act.

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**Refer** section 28A(9) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*PRINCIPAL PHARMACEUTICAL OFFICER*

**Approval** of a form for:

- (i) an application for an authority to prescribe or supply a drug of addiction;  
and
  - (ii) the issue of an authority to prescribe or supply a drug of addiction.
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**Refer** section 29(1) and 29(5)(d) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Giving** of an authority for a medical practitioner or nurse practitioner to prescribe or supply drugs of addiction specified in the authority for the treatment of a specified person.

The authority may:

- specify the maximum quantity of the drug of addiction;
- specify the period for which the drug may be prescribed or supplied;
- be given subject to such conditions as the delegate thinks fit and specifies in the authority.

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**Refer** section 29(3) and (5) Poisons and Therapeutic Goods Act 1966.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
SENIOR PHARMACEUTICAL OFFICER  
PHARMACEUTICAL OFFICER*



**Issue** of a temporary authority to prescribe drugs of addiction, lasting no more than 4 months, where an application has been referred to the Medical Committee under s.29(2).

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**Refer** section 29(4A) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*PRINCIPAL PHARMACEUTICAL OFFICER*

*SENIOR PHARMACEUTICAL OFFICER*

*PHARMACEUTICAL OFFICER*

**Revoke** an authority (including a temporary authority) given under section 29 of the Act.

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**Refer** section 29(7) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*PRINCIPAL PHARMACEUTICAL OFFICER*

*SENIOR PHARMACEUTICAL OFFICER*

*PHARMACEUTICAL OFFICER*

**Power** to require a person, by notice in writing served on that person, to furnish information specified in the notice in relation to any substance or goods.  
Delegates may specify a period (not less than 14 days) for compliance with the notice.

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**Refer** section 35(l) Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

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**POISONS AND THERAPEUTIC GOODS ACT****6.25**

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**Authority** to sign a certificate stating that a person does or does not hold a licence, permit or authority under the Act, for use in legal proceedings.

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**Refer** section 39 Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Authority** to appoint a person to be an inspector for the purposes of this Act and issue a certificate of identity.

Delegates may also exercise the powers under section 43 as to specification of functions or the exercise of functions.

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**Refer** section 42 Poisons and Therapeutic Goods Act 1966.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
DIRECTOR REGULATION AND COMPLIANCE  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Authorisation** of a person to apply to an authorised justice for a search warrant for premises.

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**Refer** section 43A(2) Poisons and Therapeutic Goods Act 1966.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of a “scientifically qualified person” for the purposes of the Regulation.

**Approval** of the degrees or diplomas for the purposes of paragraph (b) of the definition of “scientifically qualified person”.

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**Refer** clause 3 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Authorisation** in writing of nurse practitioners and midwife practitioners, or a class of those practitioners, to possess, use, supply or prescribe any poison or restricted substance or drug of addiction for the purposes of the practice of a nurse practitioner's or midwife practitioner's profession.

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**Refer** section 17A Poisons and Therapeutic Goods Act 1966.  
clause 5 Poisons and Therapeutic Goods Regulation 2008

**Procedures:**

- Authorities can be granted to a practitioner or class of practitioners.
- The delegate may also amend or revoke any authorisation given under this delegation.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
CHIEF EXECUTIVE LOCAL HEALTH DISTRICTS  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
CHIEF NURSING & MIDWIFERY OFFICER*



**Power** to give an order in writing to exempt, with or without conditions, any person or substance or class of persons or substances from the requirements of Part 2 Division I (packaging and labelling of poisons).

**Power**, by order published in the Gazette, to declare that subclause 10(3) does not have effect with respect to an exemption specified in the order.

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**Refer** clause 10 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approve** the design of “child-resistant closure”.

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**Refer** clause 13(3)(b) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of an organisation to issue an emergency asthma management certificate.

**Approval** of an organisation to provide training on the symptoms and first aid management of anaphylaxis.

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**Refer** clause 18(3) and 18(5)(b)(ii) Poisons and Therapeutic Goods Regulation 2008.

**Note:** Clause 18(5) provides that a person, holding a current first aid certificate who has completed an appropriate training course approved by the WorkCover Authority under the Occupational Health and Safety Act 2000, may obtain and hold an adrenaline-based product for use in an anaphylaxis emergency. Clause 18(5) allows the Secretary to approve an organisation which provides training on the symptoms and management of anaphylaxis.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approve** Schedule 3 substances that may be supplied by a pharmacist to the responsible person for a residential Care facility for urgent use in a residential care facility.

**Conditions:**

Supply to be in accordance with any conditions for the approval.

---

**Refer** clause 18(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or substance, or any class of persons or substances, from any or all of the requirements of clause 19 as to endorsing Schedule 2 and 3 prescriptions.

---

**Refer** clause 19(2) and 19(3) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or substance, or any class of persons or substances, from any or all of the requirements of clause 20.

---

**Refer** clause 20(6) and 20(7) Poisons and Therapeutic Goods Regulation 2008.

**Note:** This clause relates to the use and supply of Schedule 7 substances.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or any class of persons from the requirements of clause 24 as to recording of supply of pseudoephedrine as a Schedule 3 substance.

---

**Refer** clause 24(3) and 24(4) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or substance or class of persons or substances from the requirements of Part 3 Division 1 (packaging and labelling of restricted substances).

**Power**, by order published in the Gazette, to declare that subclause 28(3) does not have effect with respect to an exemption specified in the order.

---

**Refer** clause 28 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**Approval** of the manner for making out of a prescription for restricted substances, other than in handwriting, as to the details required under subclauses 35(1)(a)-(f).

**Power** to make an order in writing to exempt, with or without conditions, any person or restricted substance, or any class of persons or restricted substances, from any or all of the requirements of clause 35.

---

**Refer** clause 35(2A)(b), 35(5) and 35(6) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or restricted substance, or any class of persons or restricted substances, from any or all of the requirements of clause 39 as to supply on prescription.

---

**Refer** clause 39(4) and 39(5) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

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**POISONS AND THERAPEUTIC GOODS ACT****6.40**

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**Power** to give an order in writing to exempt, with or without conditions, any person or substance, or any class of persons or substances, from any or all of the requirements of clause 41 as to endorsement of prescriptions

---

**Refer** clause 41(3) and 41(4) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or substance, or any class of persons or substances, from any or all of the requirements of clause 42 as to keeping of prescriptions

---

**Refer** clause 42(3) and 42(4) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of a restricted substance that the responsible person of a residential care facility is authorised to have possession of for urgent use in that residential care facility.

**Conditions:**

An approval may be given unconditionally or subject to conditions.

---

**Refer** clause 47 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the form of electronic communication of an authorisation of an authorised practitioner (other than a veterinary practitioner) of the supply of a restricted substance, where that authorisation is entered on a patient's medication chart.

**Approval** of the form of electronic communication that may be used for the requisition of a restricted substance by an authorised practitioner (other than a veterinary practitioner), or by the nurse or midwife in charge of the ward in which the substance is to be used or stored.

---

**Refer** clauses 49(b) and 49(c) Poisons and Therapeutic Goods Regulation 2008.

**Note:** This delegation relates to the authorisation or requisition for the supply of a restricted substance from the pharmacy department of the hospital by a pharmacist employed at a hospital.

**Authority** for this delegation comes from the Secretary under Section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION

**Approve** the manner of keeping records of supply of restricted substances.

---

**Refer** clause 55(l) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or restricted substance, or any class of persons or restricted substances, from any or all of the requirements of clause 55 as to recording of prescriptions.

---

**Refer** clause 55(3) and 55(4) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**Approve** the manner of recording details of supply by pharmacists of restricted substances under clauses 45, 46, 47 or 48, or as otherwise required by clause 57.

---

**Refer** clause 57 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the manner (other than in writing or in person) that a direction by an authorised practitioner can be given to a person, employed at a hospital or managed correction centre, to administer a restricted substance.

**Approval** of the manner (other than by email, facsimile, or orally by telephone) that a direction by an authorised practitioner can be given to a person, employed at a hospital or managed correctional centre, to administer a restricted substance in an emergency.

---

**Refer** clauses 58(2)(b) and 58(3)(b) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of a protocol for confirming a direction for the administration of a restricted substance to a patient who is an inmate in a correctional centre. (In this situation, sub-clauses 58(4), 58(5) and 58(6) do not apply.)

---

**Refer** clause 58(7) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
CHIEF EXECUTIVE JUSTICE HEALTH AND FORENSIC MENTAL HEALTH NETWORK*

**Approval** of a nurse or midwife, or a class of nurses or midwives, for the purpose of section 16(1)(e) of the Act.

---

**Refer** clause 62(c) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or substance or class of persons or substances from the requirements of Part 4 Division I (packaging and labelling of drugs of addiction).

**Power**, by order published in the Gazette, to declare that subclause 72(3) does not have effect with respect to an exemption specified in the order.

---

**Refer** clause 72 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of an alternate manner for the storage of drugs of addiction by a particular person or class of persons to which the person belongs.

---

**Refer** clause 73(1)(b) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the structural requirements, or manner of mounting, of safes for use by pharmacists in storing drugs of addiction.

---

**Refer** clause 76(2) Poisons and Therapeutic Goods Regulation 2008.

**Procedures:** \* Principal Pharmaceutical Officer and Senior Pharmaceutical Officer may only approve under this delegation matters under subclause 76(2)(g) (manner of attachment of safes to types of walls or floors other than brick, concrete or timber).

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER\*  
SENIOR PHARMACEUTICAL OFFICER\**

**Approval** of the manner for making out a prescription for a drug of addiction (other than in handwriting), as to the details required under subclauses 80(1)(a)-(f).

**Power** to make an order in writing to exempt, with or without conditions, any person or drug of addiction, or any class of persons or drugs of addiction, from any or all of the requirements of clause 80.

---

**Refer** clause 80(2)(b), 80(5) and 80(6) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**Authorisation** of a nurse practitioner for the purposes of clause 83 and/or clause 94 of the Poisons and Therapeutic Goods Regulation 2008, to issue a prescription and/or supply methadone or buprenorphine to a person, without an authority under section 29 of the Act.

---

**Refer** clause 83(2)(a) and 94(2)(a) Poisons and Therapeutic Goods Regulation 2008 for the authorisation power, balance of the clauses for the conditions.

**Procedure:** Any such prescription or supply must comply with the relevant conditions specified under clause 83 and 94 of the Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION

**Power** to give an order in writing to exempt, with or without conditions, any person or drug, or any class of persons or drugs, from any or all of the requirements of clause 85 as to supply of drugs of addiction on prescription.

---

**Refer** clause 85(4) and 85(5) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or drug of addiction, or any class of persons or drugs of addiction, from any or all of the requirements of clause 88 as to endorsement of prescriptions for drugs of addiction.

---

**Refer** clause 88(3) and 88(4) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or drug of addiction, or any class of persons or drugs of addiction, from any or all of the requirements of clause 89 as to keeping of prescriptions or orders.

---

**Refer** clause 89(3) and 89(4) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of an alternative form for the keeping in a retail pharmacy of records of supply of methadone in oral liquid form or buprenorphine tablets, on a prescription for treatment of drug dependence.

---

**Refer** clause 91(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to require the owner of a retail pharmacy to furnish such information as is necessary to enable determination of an application for exemption from the provisions of clause 92(1) and 92(1A) relating to methadone or buprenorphine supply.

**Power** by notice in writing to grant, with or without conditions, or refuse to grant, to a retail pharmacy owner an exemption from the provisions of clause 92(1) and 92(1A) relating to the supply of methadone or buprenorphine.

**Power** to determine further conditions and notify those conditions in writing to the holder of an exemption relating to the supply of methadone or buprenorphine.

**Power** to vary or revoke any condition of an exemption relating to the supply of methadone or buprenorphine, by notice in writing served on the holder of the exemption.

**Power** to suspend or cancel an exemption relating to the supply of methadone or buprenorphine by notice in writing served on the holder of an exemption.

---

**Note:**

1. This delegation relates to the granting of exemptions to supply methadone or buprenorphine:
    - a) from a retail pharmacy located on premises approved to supply pharmaceutical benefits under section 90 of the *National Health Act 1953* of the Commonwealth
    - b) to more than 50 persons on any particular day
  2. The clause relates only to the supply on prescription for the treatment of drug dependence.
- 

**Refer** clause 93(2), 93(3), 93(4), 93(5) and 93(7) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION

---

**Approval** of the form of electronic communication of an authorisation by an authorised practitioner (other than a veterinary practitioner) of the supply of a drug of addiction, where that authorisation is entered on a patient's medication chart.

**Approval** of the form of electronic communication that may be used for the requisition of a drug of addiction by an authorised practitioner (other than a veterinary practitioner), or by the nurse or midwife in charge of the ward in which the drug is to be used or stored.

---

**Refer** clause 99(1)(b) and 99(1)(c) Poisons and Therapeutic Goods Regulation 2008.

**Note:** This delegation relates to the authorisation or requisition for the supply of a drug of addiction from the pharmacy department of the hospital by a pharmacist employed at a hospital.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of a nurse or a midwife or a class of nurses or midwives to have possession of and supply drugs of addiction.

**Authorisation** of a person, or class of persons, in charge of a laboratory used for the purpose of analysis, research or instruction to have possession of (but not to supply) drugs of addiction.

---

**Refer** clause 101(l)(e) and 101(2)(a) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**Approval** of the keeping of a register for drugs of addiction (other than in a hospital ward) in a form other than in accordance with sub clauses 111 (2) and 111 (3).

---

**Refer** clause 111(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the inclusion of any other details in the drug register for drugs of addiction.

**Power** by order in writing to exempt, with or without conditions, any person or drug of addiction, or any class of persons or drugs of addiction, from any or all of the requirements of clause 112, as to drug registers.

---

**Refer** clause 112(1)(j), 112(3) and 112(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the manner in which a pharmacist is to record the details (required by clause 113(1)) of the supply of drugs of addiction on a prescription.

**Power** to make an order in writing to exempt, with or without conditions, any person or drug of addiction, or any class of persons, or drugs of addiction from the requirements of clause 113 as to recording of supply on prescription.

---

**Refer** clause 113 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the manner of recording the details of supply of drugs of addiction in accordance with clause 97 or 103.

---

**Refer** clause 114 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approve** the keeping of a register in a form other than in accordance with subclauses 116(4) and 116(5).

---

**Refer** clause 116(6) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND LEGAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the inclusion of any other details in the ward register for drugs of addiction.

**Power** by order in writing to exempt, with or without conditions, any person or drug of addiction, or any class of persons or drugs of addiction, from any or all of the requirements of clause 117 as to ward drug registers.

---

**Refer** clause 117(1)(e), clause 117(3) and clause 117(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

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**POISONS AND THERAPEUTIC GOODS ACT****6.70**

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**Power** to determine the periods, other than in accordance with clause 118(2)(a), either generally or in specified circumstances, that an accurate inventory of drugs of addiction stock has to be made.

---

**Refer** clause 118(2)(b) Poisons and Therapeutic Goods Regulation 2008.

Authority for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the manner (other than in writing or in person) that a direction by an authorised practitioner can be given to a person, employed at a hospital or managed correction centre, to administer a drug of addiction.

**Approval** of the manner (other than by email, facsimile, orally by telephone) that a direction by an authorised practitioner can be given to a person, employed at a hospital or managed correctional centre, to administer a drug of addiction in an emergency.

---

**Refer** clauses 120(2)(b) and 120(3)(b) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**Approval** of a protocol for confirming a direction to administer a drug of addiction to a patient who is an inmate in a correctional centre (in this situation subclauses 120 (4), (5) and (6) do not apply.)

---

**Refer** clause 120(7) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
CHIEF EXECUTIVE JUSTICE HEALTH AND FORENSIC MENTAL HEALTH NETWORK*

**Approval** of the manner for the supply of any poison or restricted substance by way of distribution of free samples.

---

**Refer** clause 132 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to give an order in writing to exempt, with or without conditions, any person or substance or any class of persons or substances from any or all of the requirements of clause 133.

---

**Refer** clause 133(2) and 133(3) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to certify in writing, with or without conditions, that a person who is suffering from an infectious disease, or other condition listed in clause 142, may engage in the preparation or handling of exposed substances.

---

**Refer** clause 142 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
MEDICAL OFFICER OF HEALTH  
DIRECTOR PUBLIC HEALTH UNIT*

**Power** to direct that seized goods may be released to the owner or person controlling them at the time of seizure.

---

**Refer** clause 149(3) Poisons and Therapeutic Goods Regulation 2008.

**Note:** The inspector who seized the goods can also give the direction to release the goods.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to direct the manner in which seized goods may be kept or stored, other than in accordance with clause 152(l)(a) and (b).

**Power** to authorise a person to remove, alter or interfere in any way with seized goods.

---

**Refer** clause 152(l) and 152(2) Poisons and Therapeutic Goods Regulation 2008.

**Note:** An inspector can also approve such matters.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

---

**POISONS AND THERAPEUTIC GOODS ACT****6.79**

---

**Power** to direct the manner in which forfeited goods may be disposed of, either generally or in any particular case or class of cases.

---

**Refer** clause 154 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Approval** of the form of application for a licence to supply Schedule 2 substances from a retail shop.

**Power** to require the person submitting an application for a licence to supply Schedule 2 substances from a retail shop to furnish such further information as is necessary to determine the application.

---

**Refer** clause 155(2)(a) and 155(3) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR REGULATION AND COMPLIANCE*



**Power** to issue the licence for which the application is made, or refuse an application, for a licence to supply Schedule 2 substances.

**Power** to refuse an application if of the opinion that the applicant is not a fit and proper person to hold the licence for which the application is made.

**Determination** whether the premises of an applicant renewing an existing licence (issued before 7 April 1989 and still in force), are at least 6.5 kilometres (measured along the shortest practicable route) from the premises of the nearest retail pharmacist.

**Determination** in any other case whether the applicant's premises are at least 20 kilometres (measured along the shortest practicable route) from the premises of the nearest retail pharmacist.

---

**Refer** clause 156(l), 156(2) and 156(3) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR REGULATION AND COMPLIANCE

**Approval** of the form of a licence to supply Schedule 2 substances.

---

**Refer** clause 157 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

**Power** to endorse conditions on licences to supply Schedule 2 substances.

**Power** to impose, by written order served on the licence holder, further conditions on such licences.

**Power** to vary or revoke, by written order served on a licence holder, licence conditions.

---

**Refer** clause 158(1) and 158(2) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

**Power** to approve the form of application for a licence to supply by wholesale any poisons or restricted substances.

**Power** to require an applicant for a licence to supply by wholesale any poison or restricted substance to furnish such further information as is necessary to determine the application.

---

**Refer** clause 160(2)(a) and 160(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

**Power** to issue the licence, or refuse an application for a licence, to supply by wholesale poisons or restricted substances.

Delegates may exercise the Secretary's decision making powers that an applicant is not a fit and proper person to hold the licence, or that the premises to which the application relates are not appropriate for the supply of the poisons or restricted substances concerned.

---

**Refer** clause 161(l), 161(2) and 161(3) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR REGULATION AND COMPLIANCE*

**Approval** of the form of a licence to supply by wholesale poisons and restricted substances.

---

**Refer** clause 162 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

---

**POISONS AND THERAPEUTIC GOODS ACT****6.87**

---

**Power** to impose, vary or revoke, by orders in writing, conditions on licences to supply by wholesale poisons or restricted substances.

---

**Refer** clause 163(l) and 163(2) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

**Approval** of the form of application for a licence to manufacture drugs of addiction at, or to supply drugs of addiction, from any premises.

**Power** to require the person submitting an application for a licence to manufacture or supply drugs of addiction from any premises to furnish such further information as is necessary to determine the application.

---

**Refer** clause 165(2)(a) and 165(5) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR REGULATION AND COMPLIANCE*



**Power** to issue a licence, or refuse an application for a licence, to manufacture at or supply drugs of addiction from any premises.

**Authority** to refuse an application if of the opinion that the applicant is not a fit and proper person to hold the licence for which the application is made.

**Power** to determine whether the premises to which the application relates are appropriate for the manufacture or supply of drugs of addiction.

**Power** to add conditions to, or vary or revoke the conditions of a licence that was in force immediately before 30 June 2006, to supply methadone or buprenorphine under the NSW Opioid Treatment Program, or on application of the licensee, to vary the premises to which such a licence relates, or to issue a replacement licence.

---

**Refer** clause 166 Poisons and Therapeutic Goods Regulation 2008.

**Note:** The Secretary or delegate is not empowered to issue any new licence under this Division for the supply, under the program known as the New South Wales Opioid Treatment Program, of methadone or buprenorphine to drug dependent persons (as defined in section 27 of the Act), unless it is a replacement licence. [See clause 166(4), 166(5) and 166(6)]

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR REGULATION AND COMPLIANCE

---

**POISONS AND THERAPEUTIC GOODS ACT****6.90**

---

**Approval** of the form of a licence to manufacture or supply drugs of addiction at or from any premises.

---

**Refer** clause 167(l) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

**Power** to endorse conditions on licences to manufacture or supply drugs of addiction.

**Power** to impose, by written order served on the licence holder, further conditions on such licences.

**Power** to vary or revoke licence conditions by written order served on the licence holder.

---

**Refer** clause 168(l) and 168(2) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

**Power** to issue or refuse authorities for the purposes of the Poisons and Therapeutic Goods Act 1966 and this Regulation.

**Authority** to require a person seeking an authority to furnish such information as is necessary to enable the determination of the issuing of the authority.

**Approval** of the manner of publication of an instrument issuing an authority to a specified class of persons.

**Authority** to refuse the issue of an authority to a person if of the opinion that the person is not a fit and proper person to hold the authority.

---

### **Condition**

A **Principal Pharmaceutical Officer** or **Senior Pharmaceutical Officer** may only exercise this delegation to issue an authority under clause 170 for the purpose of clause 84(2) of the Regulation.

---

**Refer** clause 170(l), 170(2), 170(3) and 170(4) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

### **DELEGATES**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
SENIOR PHARMACEUTICAL OFFICER*

---

**Power** to specify conditions in the instrument by which an authority under clause 170 is issued.

**Power** to impose, by written order served on the authority holder, further conditions on such authorities.

**Power** to vary or revoke conditions on authorities, by written order served on the authority holder.

---

**Condition**

A **Principal Pharmaceutical Officer** or **Senior Pharmaceutical Officer** may only exercise this delegation to issue an authority under clause 170 for the purpose of clause 84(2) of the Regulation.

---

**Refer** clause 171(l) and 171(2) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
SENIOR PHARMACEUTICAL OFFICER*

**Power** to suspend or cancel a licence or authority on any one or more of the grounds listed in subclauses 172(1) and 172(2). Delegates are specifically empowered to exercise the Secretary's decision making powers under subclauses 172(1)(c), 172(1)(d) and 172(2).

---

**Refer** clause 172 Poisons and Therapeutic Goods Regulation 2008.

**Note 1:** In the case of subclause 172(1)(a) and 172(1)(b) events, licences or authorities must be suspended or cancelled.

**Note 2:** In the case of subclause 172(2)(e) event, licences or authorities may be suspended or cancelled if the annual fee for the licence is not duly paid.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR REGULATION AND COMPLIANCE*

*(only in relation to 172(2)(e) Poisons and Therapeutic Goods Regulation 2008)*

**Power**, in relation to suspension or cancellation of a licence or authority (otherwise than at the request of its holder), to

**give** written notice to a licence/authority holder of the proposed suspension or cancellation and the grounds for such action; and

**give** licence/authority holder reasonable opportunity to make representations on the proposed action; and

**consider** any representations by a licence/authority holder.

**Power** to revoke the suspension or vary the period of the suspension of a licence or authority, by written notice served on the holder of a licence or authority.

---

**Refer** clause 173(1) and 173(3) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power**, by order in writing, with or without conditions, to exempt any person or substance, or any class of persons or substances, from the requirements of Part 2 of the Therapeutic Goods Regulations of the Commonwealth (advertisement of therapeutic goods).

---

**Refer** clause 174(1) and 174(2) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**Power** to prohibit or restrict any person, by order in writing served on that person, from doing anything authorised by this Regulation.

Delegates are specifically empowered to exercise the Secretary's decision making powers under subclauses 175(2)(c) and (d).

**Power**, under subclause 175(3), to make such orders unconditionally, or subject to conditions, and subject to any specified exceptions or factors of application.

**Power** to publish in the Gazette details of a person's prohibition from doing any or all of the things authorised by Parts 2, 3, 4 or 5 of the Regulation.

---

**Refer** clause 175 Poisons and Therapeutic Goods Regulation 2008.

**Procedure:** Under subclause 175(4), an order under this clause must specify the grounds on which it is made including, if made on the grounds referred to in subclause 175(2)(d), the reasons for its withdrawal on those grounds.

Delegates should also be aware of the date provisions contained in subclause 175(6).

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**Power** to require the applicant submitting an application for authority under section 29(1) of the Act to prescribe drugs of addiction to furnish such further information as the delegate may require in relation to the application.

---

**Refer** clause 179 Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
SENIOR PHARMACEUTICAL OFFICER  
PHARMACEUTICAL OFFICER*

**AUTHORISATION OF USE ETC OF SCHEDULE 9 SUBSTANCES FOR RESEARCH AND SIMILAR PURPOSES**

Authorise, by order in writing, with or without conditions, a specified person or class of persons to manufacture, possess, use or supply a specified Schedule 9 substance (not being a prohibited drug within the meaning of the Drug Misuse and Trafficking Act 1985) for medical or scientific research, analytical, teaching or training purposes or for industrial or commercial purposes.

---

**Refer** section 17D Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Health Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**APPROVAL OF AN ELECTRONIC FORM OF RECORDING SUPPLY OF  
PSEUDOEPHEDRINE TO A PERSON WITHOUT A PRESCRIPTION**

Authorise, by order in writing, a specified electronic form of recording supply of pseudoephedrine to a person without a prescription.

---

**Refer** clause 24(1A) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Health Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER*

*DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE*

*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**EXCLUDE THERAPEUTIC GOODS FROM THE DEFINITION OF AN UNREGISTERED DRUG OF ADDICTION**

**Power** to, by order published in the Gazette, exclude specified therapeutic goods from the definition of an unregistered drug of addiction under clause 3(1) of the Poisons and Therapeutic Goods Regulation 2008.

---

**Refer** clause 3(1) Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**EXEMPTION FROM STORAGE REQUIREMENTS FOR GOODS REQUIRING REFRIGERATION**

**Power** to grant an exemption, with or without conditions, from a requirement of the Poisons and Therapeutic Goods Regulation 2008 relating to the storage of goods on the grounds that compliance with the requirement is not reasonably practicable because the goods require refrigeration.

**Procedures:**

The exemption may be granted:

- (a) to a person by written instrument on the application of the person, or
- (b) for a class of goods or class of persons, by order published in the Gazette.

---

**Refer** clause 175A Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

---

**DELEGATES:**

*CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**AUTHORISATION OF POSSESSION OF INCREASED QUANTITIES OF DRUGS OF ADDICTION FOR URGENT USE IN RESIDENTIAL CARE FACILITIES**

**Power** to authorise the possession, with or without conditions, of a larger quantity of a drug of addiction than that permitted generally under clause 103 of the Poisons and Therapeutic Goods Regulation 2008.

**Procedures:**

An exemption may be granted to:

- (a) the responsible person for a specified residential care facility, by written instrument on the application of that person, or
- (b) the responsible person for a specified class of residential care facility, by order published in the Gazette.

---

**Refer** clause 103 Poisons and Therapeutic Goods Regulation 2008

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**DELEGATES:**

CHIEF HEALTH OFFICER  
DEPUTY SECRETARY PEOPLE, CULTURE AND GOVERNANCE  
EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION

**RECORDING INFORMATION BY PRESCRIBERS**

**Power** to approve relevant information to be recorded by a prescriber about a person for whom they prescribe a monitored medicine.

**Power** to approve relevant information to be recorded by a prescriber who prescribes a monitored medicine about the prescriber's practice.

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**Refer** clause 174D(2) and (3) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*



**RECORDING INFORMATION BY PHARMACISTS**

**Power** to approve relevant information to be recorded by a pharmacist about a person for whom they supply a monitored medicine.

**Power** to approve relevant information to be recorded by a pharmacist about the business from which a monitored medicine is supplied.

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**Refer** clause 174E(2) Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

**EXEMPTION - PART 8A REAL TIME PRESCRIPTION MONITORING**

**Power** to exempt any person, or any class of persons, from the requirements of Part 8A of the *Poisons and Therapeutic Goods Regulation 2008*.

**Conditions**

An exemption must be by written order and may be given with or without conditions.

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**Refer** clause 174J Poisons and Therapeutic Goods Regulation 2008.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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**FORFEITURE OF REGULATED GOODS**

**Power** to make, in writing, a **forfeiture order** under section 45A declaring goods to be forfeited to the State.

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**Note:**

1. A forfeiture order may only be made:
    - a) if the delegate is satisfied:
      - i. a person has been convicted of an offence in connection with the seized goods, or
      - ii. the owner of the seized goods cannot be found despite inquiries being made that are reasonable in the circumstances, or
      - iii. the seized goods cannot be returned to the owner for other reasons despite efforts being made that are reasonable in the circumstances, or
      - iv. the return of the seized goods would pose an unacceptable risk to the health or safety of a human or animal, whether or not the human or animal is identifiable, or
      - v. the seized goods cannot be lawfully used or supplied by the owner of the goods, or
    - b) in circumstances prescribed by the regulations under Act.
  2. Before making a forfeiture order, the delegate must make reasonable efforts to give the apparent owner of seized goods written notice of the following —
    - a) the intention to make a forfeiture order,
    - b) the period, not less than 21 days, during which the apparent owner may make a submission about why the proposed forfeiture order should not be made,
    - c) the way in which a submission may be made.
  3. The delegate must consider a submission made in accordance with subsection 45A(3)(b) and decide to make, or not make, the forfeiture order.
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**Refer** section 45A Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
DIRECTOR PUBLIC HEALTH UNIT

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**DISPOSE REGULATED GOODS FORFEITED**

**Power** to direct the way regulated goods forfeited under section 45A of the Act are disposed.

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**Refer** section 45B Poisons and Therapeutic Goods Act 1966

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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*EXECUTIVE DIRECTOR LEGAL & REGULATORY SERVICES AND GENERAL COUNSEL*

*CHIEF PHARMACIST*

*DIRECTOR PHARMACEUTICAL OPERATIONS*

*DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION*

*DIRECTOR PUBLIC HEALTH UNIT*

**SPECIAL MEDICAL TREATMENT – REQUEST EXEMPTION**

**Power** to make written request to the Secretary of the Department of Family and Community Services for a general or particular exemption of the administration of a drug of addiction to a child.

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**Refer** section 175(4A) Children and Young Persons (Care and Protection) Act 1998.

**Authority** for this delegation comes from the Secretary under section 21 of the Health Administration Act 1982.

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EXECUTIVE DIRECTOR LEGAL AND REGULATORY SERVICES  
CHIEF PHARMACIST  
DIRECTOR PHARMACEUTICAL OPERATIONS  
DIRECTOR PHARMACEUTICAL SERVICES TRANSFORMATION  
PRINCIPAL PHARMACEUTICAL OFFICER  
SENIOR PHARMACEUTICAL OFFICER  
PHARMACEUTICAL OFFICER*