

South Australia

Controlled Substances (Poisons) Variation Regulations 2007

under the *Controlled Substances Act 1984*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (Poisons) Variation Regulations 2007*.

2—Commencement

These regulations will come into operation on 1 July 2007.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Controlled Substances (Poisons) Regulations 1996*

4—Variation of regulation 18—Packaging of poisons (section 24)

- (1) Regulation 18(1)(b)—delete "in the case of a poison referred to in that subregulation"
- (2) Regulations 18(3) and (4)—delete subregulations (3) and (4) and substitute:
 - (3) A poison must be enclosed in a package or container that—
 - (a) is impervious to, and incapable of chemical reaction with, the poison when the package or container is under conditions of temperature and pressure that are likely to be encountered in normal use; and

- (b) has sufficient strength and impermeability to prevent leakage of the poison during handling, transport and storage of the package or container under normal handling conditions; and
 - (c) in the case of a package or container intended to be opened more than once—is able to be securely and readily closed and reclosed; and
 - (d) in the case of a prescribed poison—complies with the packaging requirements of Therapeutic Goods Order No 65.
- (4) In this regulation—

prescribed poison means—

- (a) a poison that—
 - (i) is a substance listed in the First Schedule to Therapeutic Goods Order No 65 or a salt, ester or other derivative of such a substance; and
 - (ii) is contained in therapeutic goods to which that Order applies; or
- (b) a poison that—
 - (i) is a substance listed in the First Schedule to Therapeutic Goods Order No 65 or a salt, ester or other derivative of such a substance; and
 - (ii) is intended solely for use in animals;

therapeutic goods has the same meaning as in the *Therapeutic Goods Act 1989* of the Commonwealth;

Therapeutic Goods Order No 65 means Therapeutic Goods Order No 65 entitled *Child-Resistant Packaging for Therapeutic Goods* made under the *Therapeutic Goods Act 1989* of the Commonwealth on 5 August 2004, as amended from time to time.

5—Revocation of Schedule H

Schedule H—delete the Schedule

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

after consultation by the Minister with the Controlled Substances Advisory Council and with the advice and consent of the Executive Council
on 8 March 2007

No 19 of 2007

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