Poisons Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. **Citation**
   
   These regulations are the *Poisons Amendment Regulations (No. 2) 2012*.

2. **Commencement**
   
   These regulations come into operation as follows —
   
   (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
   
   (b) the rest of the regulations — on the day after that day.

3. **Regulations amended**
   
   These regulations amend the *Poisons Regulations 1965*.

4. **Regulation 41D replaced**
   
   Delete regulation 41D and insert:

41D. **Certain medicines for schools and child care services, application of Act to**

   (1) In this regulation —

   *auto-injector* means a device containing a single pre-measured dose of a poison, with a mechanism for administering the dose by injection;

   *child care service* has the meaning given in the *Child Care Services Act 2007*;

   *inhaler* means a device containing a poison, with a mechanism for administering a metered dose of the poison by inhalation;

   *school* means —

   (a) a school within the meaning of the *School Education Act 1999* section 4; and

   (b) a community kindergarten registered under Part 5 of that Act.
(2) Sections 23(1), 31, 32(c) and (d), 34, 46 and 47 of the Act, and regulations 33 and 35A do not apply in relation to a medicine listed in an item in the Table which is supplied or sold —

(a) in the course of activity conducted by a school or child care service; and

(b) as emergency treatment for a condition listed in that item; and

(c) by the method listed in that item.

<table>
<thead>
<tr>
<th>Item</th>
<th>Medicine</th>
<th>Condition</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Adrenaline</td>
<td>Anaphylaxis</td>
<td>Administering by auto-injector</td>
</tr>
<tr>
<td>2.</td>
<td>Salbutamol</td>
<td>Acute asthma</td>
<td>Administering by inhaler</td>
</tr>
</tbody>
</table>

(3) Section 50 of the Act, and regulations 16, 19, 19AA and 19A do not apply in relation to a medicine listed in an item in the Table if the medicine —

(a) is kept for the purpose of being supplied or sold in the course of activity conducted by a school or child care service as emergency treatment for a condition listed in that item; and

(b) is in a container listed in that item.

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By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.