



Victoria Government Gazette

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Drugs, Poisons and Controlled Substances Act 1981

AMENDED POISONS CODE UNDER SECTION 12 AND 12E

I, Mary-Anne Thomas, Minister for Health, give notice that the Poisons Code, prepared under section 12 of the **Drugs, Poisons and Controlled Substances Act 1981** (the Act), will be amended pursuant to section 12E.

The Poisons List within the Poisons Code includes (a) a list of Schedule 1 poisons, (b) a list of any of the substances in Schedule 1 of the Poisons List or Schedules 2 to 9 of the Poisons Standard or the Appendices to the Poisons Standard that are not for general sale by retail, and (c) a list of exemptions from Schedule 1 of the Poisons List or Schedules 2 to 9 of the Poisons Standard.

The Commonwealth has repealed and replaced the Poisons Standard October 2022 with the Therapeutic Goods (Poisons Standard – February 2023) Instrument 2022 (new Poisons Standard), effective on 1 February 2023. The new Poisons Standard introduces a new format to improve its readability and clarity.

The following amendments to the Poisons Code are needed to ensure the intention and references in the Poisons Code are consistent with the new Poisons Standard that becomes effective on 1 February 2023, and to correct an error. Amendments to the Code are stylistic or administrative only and do not change the intent or operation of the Code.

- Chapter 1 – The Poisons list, Part 2 – List of substances that are not for general sale by retail, SPECIAL SCHEDULE 7 SUBSTANCES, the following deletion as shown in ~~strikeout~~ to ensure consistency with the Poisons Standard –
 - the substances listed in Schedule 10 of ~~Part 4~~ of the Poisons Standard as in force from time to time.
- Chapter 1 – The Poisons list, Part 3 – Exemptions, the following amended section replaces paragraph 1.3 to ensure consistency with the Poisons Standard –
 - 1.3 A substance is not included in a Schedule of the Poisons Standard in the circumstances described in Part 2, Division 1 – Preliminary, paragraph 11 items (a), (b), (c), (d) and (e) and Appendices A and G of the Poisons Standard as in force from time to time.
- Chapter 2 – Interpretation, the following amended section replaces paragraph 2.1 to ensure consistency with the Poisons Standard –
 - 2.1 The interpretations included in Part 1, paragraph 6, 7, 8, 9 and 10 and Part 2 Division 1 – Preliminary, paragraph 11 and 12 of the Poisons Standard as in force from time to time are incorporated by reference for the purposes of this Code.
- Chapter 3 – Revocation is removed to correct an error.

The date fixed for the inclusion of the amendments is 1 February 2023.

The Poisons Code may be inspected, free of charge, during normal business hours, at the Department of Health, 50 Lonsdale Street, Melbourne 3000 or can be accessed from the Department of Health website.

Dated 23 January 2023

THE HON. MARY-ANNE THOMAS MP
Minister for Health

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