



# Victoria Government Gazette

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## Drugs, Poisons and Controlled Substances Act 1981

### PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D

#### Authorisation for Distribution – COVID-19 VACCINE

I, Euan Wallace, Secretary to the Department of Health, pursuant to section 22G of the **Act**, extend and amend the **Public Health Emergency Order (PHEO #10) (Order)** published in the Government Gazette on 17 August 2023 in the belief that it is necessary to do so to respond to, or prevent, a public health emergency or a serious risk to public health posed to the State of Victoria by severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**).

The purpose of this Order is to address the serious risk to public health posed by the **SARS-CoV-2 (COVID-19)** virus which continues to affect the State of Victoria.

In furtherance of that purpose, this Order is intended to facilitate the **SARS-CoV-2 (COVID-19)** vaccine program, by authorising classes of persons to obtain and possess and supply (including to distribute) **SARS-CoV-2 (COVID-19)** vaccines approved by the **TGA (COVID-19 VACCINE)** which are Schedule 4 poisons, and any Schedule 3 poisons necessary for the treatment of anaphylactic reactions to the **COVID-19 VACCINE (relevant Schedule 3 poisons)** in accordance with the conditions outlined in this Order.

All **authorised persons**, irrespective of their status under the Act and the Regulations, are to adhere to the conditions of this Order prior to distributing any **COVID-19 VACCINE**.

#### Authorisation

By this Order, I authorise all aged care services, as defined in the **Aged Care Act 1997 (Cth) (aged care services)** to obtain and possess and supply (including to distribute) any **COVID-19 VACCINE** and any relevant **Schedule 3 poisons** in accordance with any guidelines issued by the Commonwealth or the State of Victoria in relation to COVID-19 vaccination in **aged care services**, where the service complies with manufacturer's directions and Victorian and Commonwealth requirements for the:

- i. safe and secure storage and distribution of medicines;
- ii. retention of records;
- iii. storage of temperature-sensitive medicines and cold chain management; and
- iv. disposal of unused, unwanted, or expired medicines.

#### Definitions and interpretation

**Act** means the **Drugs, Poisons and Controlled Substances Act 1981 (Vic)**;

**authorised persons** means persons authorised under the **Act** or **Regulations** (including as authorised under a **Public Health Emergency Order**), as amended or replaced from time to time;

**Public Health Emergency Order** means an order made under section 22D of the **Act** (including an order extended, amended or varied under section 22G of the **Act**);

**Regulations** means the **Drugs, Poisons and Controlled Substances Regulations 2017 (Vic)**;

**TGA** means the Therapeutic Goods Administration, Australia.

The word 'including' in this Order is not a word of limitation.

This Order comes into force on 21 February 2024 and continues in force until 20 August 2024 (dates inclusive), unless earlier revoked.

Dated 16 February 2024

PROFESSOR EUAN WALLACE AM  
Secretary to the Department of Health

**SPECIAL**

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Level 2, 1 Macarthur Street  
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