Poisons and Therapeutic Goods Regulation 2008
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73 Storage generally

(1) A person who is in possession of any drug of addiction must keep the drug:
   (a) in his or her possession stored apart from all other goods (other than cash or
documents) in a separate room, safe, cupboard or other receptacle securely attached
to a part of the premises and kept securely locked when not in immediate use, or
   (b) stored in any other manner approved by the Director-General for the particular person
or class of persons to which the person belongs.

(2) A person who is an authorised practitioner or a person referred to in clause 101 (1) (g) is
taken to comply with subclause (1) (a) if he or she keeps any drug of addiction (for use in
an emergency only) in a bag that is in a room, or in a vehicle, kept locked when not
occupied by the person.

Maximum penalty: 20 penalty units.

111 Drug registers to be kept

(1) A person who has possession of drugs of addiction at any place must keep a separate
register (a drug register) at that place.

(2) A drug register is to be in the form of a book:
   (a) that contains consecutively numbered pages, and
   (b) that is so bound that the pages cannot be removed or replaced without trace, and
   (c) that contains provision on each page for the inclusion of the particulars required to be
entered in the book.

(3) Separate pages of the register must be used for each drug of addiction, and for each form
and strength of the drug.

(4) The Director-General may from time to time approve the keeping of a drug register in
any other form.

Maximum penalty: 20 penalty units.
112 Entries in drug registers

(1) On the day on which a person manufactures, receives, supplies, administers or uses a
drug of addiction at any place, the person must enter in the drug register for that place
such of the following details as are relevant to the transaction:
(a) the quantity of the drug manufactured, received, supplied, administered or used,
(b) the name and address of the person to, from, or by, whom the drug was manufactured,
received, supplied, administered or used,
(c) in the case of a drug that has been administered to an animal or supplied for the
treatment of an animal, the species of animal and the name and address of the animal’s
owner,
(d) in the case of a drug that is supplied or administered on prescription:
   (i) the prescription reference number, and
   (ii) the name of the authorised practitioner by whom the prescription was issued,
(e) in the case of a drug that has been administered to a patient, the name of the
authorised practitioner (other than a veterinary practitioner) by whom, or under whose
direct personal supervision, the drug was administered,
(f) in the case of a drug that has been administered to an animal, the name of the
veterinary practitioner by whom, or under whose direct personal supervision, the drug
was administered,
(g) in the case of a drug that has been administered by a person authorised to do so by an
authority under Part 8, details of the circumstances requiring administration of the
drug,
(h) in the case of a drug that has been used by a person who is in charge of a laboratory,
or is an analyst, the purpose for which the drug was used,
(i) the quantity of drugs of addiction of that kind held at that place after the transaction
takes place,
(j) any other details approved by the Director-General.

(2) Each entry in a drug register must be dated and signed by the person by whom it is made.

(3) The Director-General may, by order in writing, exempt any person or drug of addiction,
or any class of persons or drugs of addiction, from any or all of the requirements of this
clause.

(4) Such an exemption may be given unconditionally or subject to conditions.

   Maximum penalty: 20 penalty units or imprisonment for 6 months, or both.

118 Periodical inventory of stock of drugs of addiction

(1) The person responsible for maintaining a drug register (including a ward register) at any
place:
(a) must, during the prescribed periods, make an accurate inventory of all drugs of addiction at that place, and
(b) must endorse the relevant drug register, immediately under the last entry for each drug of addiction, with the quantity of each drug of addiction actually held and the date on which the inventory was made, and
(c) must sign each entry.

(2) The prescribed periods for the purposes of subclause (1) (a) are:
(a) March and September each year, or
(b) if the Director-General determines some other periods, either generally or in specified circumstances, the periods so determined.

(3) A person who assumes control for a period of one month or more over any place at which drugs of addiction are held must, immediately on assuming control, make an inventory and endorse the drug register as if the inventory were an inventory made under this clause.

Maximum penalty: 20 penalty units.

119 Loss or destruction of registers

Immediately after a drug register (including a ward register) is lost or destroyed, the person responsible for keeping the register:
(a) must give written notice to the Director-General of that fact and of the circumstances of the loss or destruction, and
(b) must make an accurate inventory of all drugs of addiction held at the premises concerned and enter, in a new drug register, the particulars of the drugs so held.

Maximum penalty: 20 penalty units.

124 Loss or theft of drugs of addiction

A person who is authorised to be in possession of drugs of addiction must immediately notify the Director-General if the person loses a drug of addiction or if a drug of addiction is stolen from the person.

Maximum penalty: 20 penalty units.

125 Drugs of addiction not to be destroyed

(1) A person who is authorised to be in possession of a drug of addiction must not wilfully destroy the drug or allow the drug to be destroyed.

(2) This clause does not apply to the destruction of a drug of addiction carried out:
(a) by or under the direct personal supervision of a police officer or an inspector or by or under the direct personal supervision of a person authorised, whether generally or in a particular case, by an authority under Part 8 held by the person, or
(b) by or under the direct personal supervision of a person who is in charge of a laboratory, or who is an analyst, but only if the destruction is carried out in accordance with an authority under Part 8 held by the person, or

(c) by a person to whom the drug has been supplied by, or in accordance with the prescription of, an authorised practitioner, or

(d) in accordance with clause 126, 127 or 128.

Maximum penalty: 20 penalty units or imprisonment for 6 months, or both.

176 Records generally

(1) Except to the extent to which this Regulation otherwise provides, all documents required to be kept under this Regulation:
   (a) must be kept in the form of legible instruments written indelibly in English, or
   (b) must be kept in some other manner from which a legible instrument written indelibly in English is readily reproducible.

(2) A record required to be made of the manufacture, receipt, supply, administration or use of any substance at or from any premises must be kept at those premises.

(3) A person who is required by this Regulation to keep any document or make any record must keep it for a period of at least 2 years, commencing on the latest date on which:
   (a) any entry was made in the document or record, or
   (b) any substance was manufactured, received, supplied, administered or used in accordance with, or on the authority of, the document or record,

and must make it available for inspection on demand by a police officer or an inspector.

Maximum penalty: 20 penalty units or imprisonment for 6 months, or both.

177 False or misleading entries in records and registers

(1) A person who is required by this Regulation to keep any record or register must not make any entry in the record or register that the person knows to be false or misleading in a material particular.

(2) A person must not make any alterations, obliterations or cancellations in a record or register required by this Regulation, but may correct any mistake in any entry by making a marginal note or footnote and by initialling and dating it.

Maximum penalty: 20 penalty units or imprisonment for 6 months, or both.

Note. Section 307A of the Crimes Act 1900 creates the offence of providing false or misleading information in certain circumstances. The offence carries a maximum penalty imprisonment for 2 years, or 200 penalty units, or both.