

Dangerous Poisons Manufacturers and Suppliers Licence Application

This summary has been prepared by the Health Protection Service to assist applicants in understanding key application requirements and licensing provisions. Before completing the Medicines Poisons Therapeutic Goods Licence application form, you are strongly urged to read the *Medicines, Poisons and Therapeutic Goods Act 2008 and Regulation 2008* (at www.legislation.act.gov.au) to ensure full compliance. Failure to comply with ACT legislation renders a person liable to prosecution.

Please ensure that:

- All the information on the form is correct;
- All sections of the form have been completed;
- All necessary documentation to support the licence application is attached;
- You have signed the required declarations on the form; and
- The required fee is being paid.

Cheques should be made payable to ACT Health. GST is not applicable under sections 81-5 of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

Key legislative provisions:

The key provisions for the application and granting of a dangerous poisons manufacturers or suppliers licence are including the *Medicines, Poisons and Therapeutic Goods Act 2008* Chapter 6 and the *Medicines, Poisons and Therapeutic Goods Regulation 2008* at part 18.2 for a manufacturers licence and at part 18.4 for a suppliers licence. If granted, a licence will confer the following authorisations and responsibilities on the licence holder and to other persons authorised under the licence.

A dangerous poisons manufacturers licence-holder (unless stated otherwise) is authorised to:

- Manufacture the licensed dangerous poison(s).
- Possess the licensed dangerous poison(s) for sale by wholesale from the licensed premises.
- Sell the licensed dangerous poison(s) by wholesale (whether or not for resale) to a person authorised to issue a purchase order for a dangerous poison; or someone in another state who may obtain a dangerous poison by wholesale under the law of the other state; or someone in another country who may lawfully obtain a dangerous poison by wholesale in the other country (unless a prohibited export under the *Customs Act 1901*).

- Obtain a dangerous poison, other than a licensed dangerous poison, for manufacturing a licensed dangerous poison at the licensed premises.
- Possess a dangerous poison, other than a licensed dangerous poison, for manufacturing a licensed dangerous poisons at the licensed premises.

A dangerous poisons suppliers licence-holder (unless stated otherwise) is authorised to:

- Issue a purchase order for a licensed dangerous poison.
- Obtain a licensed dangerous poison on a purchase order for sale from the licensed premises.
- Possess a licensed dangerous poison for sale from the licensed premises.
- Sell a licensed dangerous poison on a purchase order to a person authorised to issue a purchase order for a dangerous poison; or someone in another state who may obtain a dangerous poison under the law of the other state; or someone in another country who may lawfully obtain a dangerous poison in the other country (unless a prohibited export under the *Customs Act 1901*).

Authorisation conditions for dangerous poisons manufacturers and suppliers licenses:

- Dealings with a dangerous poison will be carried out under the supervision of the approved individual stated in the licence.
- A dangerous poison obtained under a manufacturers licence will be purchased on a complying purchase order; sold on a complying purchase order; and supplied/sold for a non-household (including non-household garden) purpose only.
- If a dangerous poison sold under the licence is subject to the medicines and poisons standard, appendix J, condition 3-the poison will be supplied only to a person who is allowed to use the poison under the condition.
- If the supplier does not receive a document signed by the buyer acknowledging receipt of the dangerous poison within 7 days after the day the dangerous poison is delivered-the supplier must, within 24 hours after the end of the 7-day period, tell the Chief Health Officer, in writing, of the failure to receive the document.
- The filled purchase order and the delivery acknowledgement will be kept at the supplier's business premises or, if the Chief Health Officer approves in writing another place, the place approved by the Chief Health Officer, for at least 2 years after the day of supply.
- A written record of the date of the order; the issuer's authority to issue the order; the name and business address and telephone number of the person to whom the dangerous poison is supplied; the date the order is supplied; and the form, strength and quantity of the dangerous poison supplied will be kept.
- If the dangerous poison sold under the licence is liquid containing paraquat-the poison is coloured blue or green and has an offensive smell.
- Dangerous poisons must be stored in a place where only authorised persons, and not the public, have access.

- Dangerous poisons registers must be kept at the premises where the dangerous poisons are kept. Each page in a dangerous poisons register must relate to a single form and strength of a dangerous poison.

Related Documents

Guidelines for Dangerous Poisons Manufacturers and Suppliers Licenses

Accessibility

If you have difficulty reading a standard printed document and would like an alternative format, please phone 13 22 81.



If English is not your first language and you need the Translating and Interpreting Service (TIS), please call 13 14 50.

For further accessibility information, visit: www.health.act.gov.au/accessibility

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