



**Extracts from the *Therapeutic Goods Act 1989*
that are proposed to be repealed by the
*Therapeutic Goods Amendment (Repeal of
Ministerial responsibility for approval of RU486)*
Bill 2005**

Therapeutic Goods Act 1989

Act No. 21 of 1990 as amended

This compilation was prepared on 4 March 2005
taking into account amendments up to Act No. 8 of 2005

The text of any of those amendments not in force
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be
affected by application provisions that are set out in the Notes section

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3 Interpretation

(1) In this Act, unless the contrary intention appears:

restricted goods means medicines (including progesterone antagonists and vaccines against human chorionic gonadotrophin) intended for use in women as abortifacients.

6AA Importation of restricted goods

- (1) In spite of any other provision of this Act, a person must not, without the written approval of the Minister, import any restricted goods into Australia.

Penalty: 300 penalty units.

- (2) A written approval may be given:
- (a) unconditionally or subject to conditions; or
 - (b) in respect of particular restricted goods or classes of restricted goods.
- (3) A person is guilty of an offence if:
- (a) the person engages in conduct; and
 - (b) the conduct contravenes a condition of an approval.

Penalty: 200 penalty units.

- (3A) In subsection (3):

engage in conduct means:

- (a) do an act; or
- (b) omit to perform an act.

- (4) A written approval shall be laid before each House of the Parliament by the Minister within 5 sitting days of being given.

- (5) Unless:
- (a) a written approval is in effect; and
 - (b) the Minister has notified the Chief Executive Officer of Customs in writing of the approval;
- restricted goods are for the purposes of the *Customs Act 1901* taken to be prohibited imports.

6AB Exempt goods

Regulations exempting restricted goods from the operation of a Part of this Act must not take effect before the expiration of the time within which a House of the Parliament may disallow the regulations.

Division 2—Registration and listing

23AA Ministerial approval of evaluation, registration or listing of restricted goods

- (1) In spite of any provision of this Division, restricted goods must not be evaluated or registered or listed without the written approval of the Minister.
- (2) A written approval shall be laid before each House of the Parliament by the Minister within 5 sitting days of being given.

57 Delegation

- (9) The Minister must not delegate his or her powers or functions under section 6AA or 23AA.