



Government of **Western Australia**
Department of **Health**
Office of the Director General

Our Ref: 9630cj2 – EHB-1005
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Mr Elton Humphery
Committee Secretary
Senate Standing Committee on Community Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2601



Dear Mr Humphery

The Western Australian Department of Health (DOH) supports Schedule 1 of the Bill in its current form, including the establishment of two separate advisory committees for the scheduling of medicines and poisons with retention of the current single legislative instrument, the 'Poisons Standard' which contains the scheduling decisions.

The proposed amendments will provide the enabling legislation to implement the reforms to the scheduling of medicines and poisons agreed to by the Council of Australian Governments (COAG), following the recommendations of both the 2001 National Competition Review of Drugs, Poisons and Controlled Substances Legislation (known as the Galbally Report) and the July 2008 Productivity Commission Report into Chemicals and Plastics Legislation.

The reforms are intended to streamline the administrative management of the scheduling process and facilitate uniform scheduling outcomes across the jurisdictions. There has been considerable consultation with the jurisdictions to develop a new scheduling model and Schedule 1 of the Bill will provide the 'high level' legislative enabling of this model.

In Western Australia, the schedules, as contained in the 'Poisons Standard' are implemented through the *Poisons Act 1964*. Medicines and poisons are placed in 'schedules', as a mechanism, to allow restrictions on supply to the public in the interest of public health and safety. In Western Australia, the *Poisons Act 1964* is the legislation for these restrictions regardless of whether the scheduled substance is a medicine or a poison and this Act is administered by the DOH. Inclusion of the schedule listings in a single document allows adoption by reference into the *Poisons Act 1964* and facilitates Western Australia's commitment to national uniformity of the scheduling of medicines and poisons.

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Many substances are listed in both the 'medicines' and 'poisons' schedules. Inclusion of all schedules in a single document is a coherent approach to ensure that those affected by scheduling are aware that substances may appear in a number of different schedules.

The DOH supports Schedule 1 of the Bill in its current form.

Yours sincerely



Dr Peter Flett
DIRECTOR GENERAL

6 July 2009