

TASMANIA

**POISONS AMENDMENT (INTERSTATE
PRESCRIPTIONS) REGULATIONS 2026**

STATUTORY RULES 2026, No. 4

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POISONS AMENDMENT (INTERSTATE PRESCRIPTIONS) REGULATIONS 2026

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Poisons Act 1971*.

Dated 3 February 2026.

B. BAKER
Governor

By Her Excellency's Command,

BRIDGET ARCHER
Minister for Health, Mental Health and Wellbeing

1. Short title

These regulations may be cited as the *Poisons Amendment (Interstate Prescriptions) Regulations 2026*.

2. Commencement

These regulations take effect on the day on which the *Poisons Amendment (Interstate Prescriptions) Act 2025* commences.

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3. Principal Regulations

In these regulations, the *Poisons Regulations 2018** are referred to as the Principal Regulations.

4. Regulation 3 amended (Interpretation)

Regulation 3(1) of the Principal Regulations is amended by inserting after the definition of *internal use* the following definitions:

interstate prescription means a prescription that has been written or issued by an interstate prescriber;

interstate resident means a person who ordinarily resides in another State or a Territory;

5. Regulation 7 amended (Authorised health professionals)

Regulation 7(1) of the Principal Regulations is amended by omitting “paragraph (a)” and substituting “paragraph (b)(i)”.

6. Regulation 20 amended (Prescribing and supplying narcotic substances)

Regulation 20 of the Principal Regulations is amended by inserting after subregulation (10) the following subregulation:

*S.R. 2018, No. 79

- (10A) An interstate prescriber must not write or issue a prescription for a narcotic substance that the prescriber reasonably believes will be dispensed in Tasmania unless the prescription is written and issued in accordance with these regulations.

Penalty: Fine not exceeding 10 penalty units.

7. Regulation 27 amended (Dispensing of narcotic substances (S8))

Regulation 27 of the Principal Regulations is amended as follows:

- (a) by omitting subregulation (1) and substituting the following subregulation:

- (1) A person must not dispense a narcotic substance except –

- (a) under regulation 23; or
- (b) in accordance with a prescription that was lawfully written and issued in accordance with regulation 20; or
- (c) in accordance with a prescription that the person reasonably believes was lawfully written and issued in

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another State or a Territory.

Penalty: Fine not exceeding 10 penalty units.

(b) by omitting subregulation (3) and substituting the following subregulation:

(3) Subregulation (2) does not apply in the following circumstances:

(a) where the person responsible for dispensing the narcotic substance securely transfers the prescription to another pharmacy;

(b) in the case of an interstate prescription to be dispensed to an interstate resident, where –

(i) the interstate resident is unable to identify a suitable pharmacy to which the prescription may be securely transferred; and

(ii) the person responsible for dispensing the narcotic substance

is satisfied that
there are no
reasonably
apparent safety
concerns with
returning the
prescription to the
interstate resident.

**8. Regulation 28 amended (Restriction on dispensing
of narcotic substances)**

Regulation 28 of the Principal Regulations is
amended as follows:

(a) by omitting subregulation (1) and
substituting the following subregulation:

(1) A person must not dispense more
of a narcotic substance than is
sufficient for 2 days' treatment, if
used in accordance with the
instructions on the prescription
for the narcotic substance, unless
that person has verified that the
prescription is authentic.

Penalty: Fine not exceeding 10
penalty units.

(b) by omitting from subregulation (2) "to be
taken to have authenticated a
prescription" and substituting "taken to
have verified the authenticity of a
prescription for a narcotic substance";

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- (c) by omitting from subregulation (2)(b) “he or she wrote the prescription.” and substituting “the purported prescriber wrote the prescription; or”;
- (d) by inserting the following paragraph after paragraph (b) in subregulation (2):
 - (c) is satisfied on reasonable grounds that the prescription is authentic and the person makes a record of the information relied upon in deciding that the prescription is authentic.

9. Regulation 45 amended (Prescriptions for restricted substances)

Regulation 45 of the Principal Regulations is amended by inserting after subregulation (8) the following subregulation:

- (9) An interstate prescriber must not write or issue a prescription for a declared restricted substance that the prescriber reasonably believes will be dispensed in Tasmania unless the prescription is written and issued in accordance with these regulations.

Penalty: Fine not exceeding 10 penalty units.

10. Regulation 51 amended (Dispensing prescriptions for restricted substances (S4))

Regulation 51 of the Principal Regulations is amended by omitting subregulation (1) and substituting the following subregulation:

- (1) Subject to subregulations (2), (3) and (4) and regulation 53, a person must not supply a restricted substance otherwise than on, and in accordance with –
 - (a) a prescription issued, or a direction given, in accordance with regulation 45; or
 - (b) a prescription that the person reasonably believes was lawfully written and issued in another State or a Territory.

Penalty: Fine not exceeding 10 penalty units.

11. Schedule 8 amended (Infringement Notice Offences)

Part 2 of Schedule 8 to the Principal Regulations is amended as follows:

- (a) by inserting after item 19 the following item:

19A.	Regulation 20(10A)	2
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- (b) by inserting after item 63 the following item:

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63A.	Regulation 45(9)	2
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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 11 February 2026.

These regulations are administered in the Department of Health.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations amend the *Poisons Regulations 2018* by –

- (a) regulating the writing and issuing of prescriptions by interstate prescribers for narcotic substances and declared restricted substances that the prescriber reasonably believes will be dispensed in Tasmania; and
- (b) regulating the dispensing of narcotic substances and the supply of restricted substances in Tasmania on prescriptions written and issued in another State or a Territory; and
- (c) amending the circumstances in which prescriptions for narcotic substances may be transferred between pharmacies; and
- (d) amending the requirements for verifying the authenticity of prescriptions for narcotic substances; and

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- (e) inserting additional infringement notice offences.