

TASMANIA

**POISONS AMENDMENT (MISCELLANEOUS)
REGULATIONS 2026**

STATUTORY RULES 2026, No. 76

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POISONS AMENDMENT (MISCELLANEOUS) 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 29 September 2026.

CAROLINE WELLS
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 (Miscellaneous) Regulations 2026*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

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 as follows:

- (a) by inserting the following definition after the definition of *declared restricted substance*:

dental hygienist means a person registered under the Health Practitioner Regulation National Law (Tasmania) in the dental profession as a dental hygienist;

- (b) by omitting the definition of *podiatric surgeon*.

5. Regulation 7 amended (Authorised health professionals)

Regulation 7 of the Principal Regulations is amended as follows:

- (a) by inserting the following subregulation before subregulation (1):

(1AA) In this regulation –

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surgical podiatrist means a person registered under the Health Practitioner Regulation National Law (Tasmania) in the speciality of podiatric surgery.

- (b) by omitting from subregulation (1)(b) “podiatric surgeons” and substituting “surgical podiatrists”;
- (c) by omitting from subregulation (2)(b) “podiatric surgeons” and substituting “surgical podiatrists”;
- (d) by omitting from subregulation (3) “podiatric surgeon” and substituting “surgical podiatrist”.

6. Regulation 15 amended (Inquiries, &c., before supplying narcotic substance to patient)

Regulation 15 of the Principal Regulations is amended by omitting subregulation (2) and substituting the following subregulations:

- (1A) An endorsed midwife must not administer to a person, or obtain or possess for the purposes of administering to a person, a narcotic substance unless the midwife has taken such steps as are reasonably open to the midwife to ascertain –

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- (a) the nature and amount of any narcotic substance supplied to that person within the previous 2 months; and
- (b) the circumstances in which that narcotic substance was so supplied.

Penalty: Fine not exceeding 10 penalty units.

- (2) A person who obtains from, or as a result of a prescription written or issued by, a medical practitioner, dentist, authorised health professional or authorised nurse practitioner a narcotic substance by failing, before or at the material time, to notify the medical practitioner, dentist, authorised health professional or authorised nurse practitioner of the name and the place of practice of a medical practitioner, dentist, authorised health professional, endorsed midwife or authorised nurse practitioner by whom, within a period of 2 months before the material time, a narcotic substance was supplied or administered to the person, or a prescription for a narcotic substance was written or issued in respect of the person, is guilty of an offence.

Penalty: Fine not exceeding 10 penalty units.

7. Regulation 16 amended (Supply of narcotic substances)

Regulation 16 of the Principal Regulations is amended as follows:

- (a) by inserting the following subregulation after subregulation (4):

(4A) An endorsed midwife must –

- (a) only administer a narcotic substance to a patient; and
- (b) not obtain or possess a narcotic substance except for the purposes of its administration to a patient.

Penalty: Fine not exceeding 10 penalty units.

- (b) by omitting subregulation (6) and substituting the following subregulation:

(6) Nothing in subregulation (4), (4A) or (5) prohibits a medical practitioner, veterinary surgeon, dentist, authorised nurse practitioner, authorised health professional or authorised nurse from supplying a narcotic substance to a medical practitioner, veterinary surgeon, dentist, authorised nurse practitioner, endorsed midwife,

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authorised health professional,
licensed wholesale chemist,
licensed manufacturing chemist
or pharmacist.

8. Regulation 22 substituted

Regulation 22 of the Principal Regulations is rescinded and the following regulation is substituted:

22. Record of prescribing and supplying narcotic substances

- (1) As soon as practicable after a medical practitioner, dentist, authorised nurse practitioner, authorised health professional or veterinary surgeon issues a prescription for, or supplies, a narcotic substance, he or she must make a record, in a form determined by the Secretary, setting out –
 - (a) the name, date of birth and address of the person for the treatment of whom, or of the owner of the animal for the treatment of which, the narcotic substance was prescribed or supplied; and
 - (b) the date on which the prescription was issued or the narcotic substance was supplied, as the case requires; and

- (c) particulars of the narcotic substance sufficient to identify it and to indicate in what quantity and strength it was prescribed or supplied; and
- (d) particulars of the directions set out in the prescription, or provided with the narcotic substance, for the use of the narcotic substance; and
- (e) if the record relates to the issue of a prescription, particulars of any provision made in the prescription in respect of the number of occasions on which, and the minimum intervals at which, the dispensing of the prescription was authorised to be repeated.

Penalty: Fine not exceeding 10 penalty units.

- (2) As soon as practicable after an endorsed midwife administers a narcotic substance, the midwife must make a record, in a form determined by the Secretary, setting out –
 - (a) the name, date of birth and address of the person for the treatment of whom the narcotic substance was administered; and

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- (b) the date on which the narcotic substance was administered; and
 - (c) particulars of the narcotic substance sufficient to identify it and indicate in what quantity and strength it was administered.
- (3) A person required to make a record under this regulation must retain the record for a period of not less than 2 years, commencing on the day on which the record is made.

Penalty: Fine not exceeding 10 penalty units.

9. Regulation 24 substituted

Regulation 24 of the Principal Regulations is rescinded and the following regulation is substituted:

24. Prescription for certain narcotic substances to be issued only on authority of Secretary

A medical practitioner, authorised health professional or nurse practitioner must not, without the authority of the Secretary, issue a prescription for, or supply to a patient, the following narcotic substances:

- (a) amphetamine;
- (b) cannabis;

- (c) dexamphetamine;
- (d) dextromoramide;
- (e) esketamine;
- (f) fentanyl, except in the case of a patient with cancer;
- (g) hydromorphone;
- (h) ketamine;
- (i) lisdexamfetamine;
- (j) methadone;
- (k) methylamphetamine;
- (l) methylphenidate;
- (m) nabiximols;
- (n) N,á-dimethyl-3,4-(methylenedioxy)methamphetamine (MDMA);
- (o) pethidine;
- (p) phenmetrazine;
- (q) psilocybine;
- (r) tetrahydrocannabinol.

Penalty: Fine not exceeding 10 penalty units.

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10. Regulation 54B amended (Dental assistant may administer sodium fluoride varnish)

Regulation 54B of the Principal Regulations is amended by omitting subregulation (2) and substituting the following subregulation:

- (2) A dental assistant may only administer sodium fluoride varnish if the varnish is administered under the supervision of a dentist, dental therapist, dental hygienist or oral health therapist.

11. Regulation 55 substituted

Regulation 55 of the Principal Regulations is rescinded and the following regulation is substituted:

55. Information about drugs

- (1) Subject to subregulation (2), a pharmacist, medical practitioner, dentist, authorised health professional, endorsed midwife or authorised nurse practitioner must not supply to a person a substance listed in Schedule 4 unless, at the time that he or she supplies the substance, he or she provides to the person to whom the substance is supplied an information sheet, in the form required under regulation 9A of the *Therapeutic Goods Regulations 1990* of the Commonwealth, concerning that substance.

- (2) An information sheet need not be provided under subregulation (1) if –
- (a) the substance is supplied by a pharmacist and the prescription according to which it is dispensed bears an endorsement that it is not necessary for the pharmacist to provide the information sheet; or
 - (b) in a case where a medical practitioner, dentist, authorised health professional, endorsed midwife or authorised nurse practitioner supplies the substance without the intervention of a pharmacist, the medical practitioner, dentist, authorised health professional, endorsed midwife or authorised nurse practitioner is of the opinion that it is not in the patient's interests to provide the sheet.

12. Regulation 82 amended (Prescribed persons for section 38(1)(i) of Act)

Regulation 82(1) of the Principal Regulations is amended by omitting paragraph (a) and substituting the following paragraph:

- (a) a person who is a dental therapist, dental hygienist or oral health therapist may, in the course of dental practice, administer the following restricted substances to

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another person in the following specified circumstances:

- (i) antibiotics and corticosteroids in combination, for topical endodontic use;
- (ii) local anaesthetics, whether alone or in combination with adrenaline (epinephrine) or felypressin, for use in dental treatment;
- (iii) topical fluorides, when used in dental preparations; and

13. Schedule 8 amended (Infringement Notice Offences)

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

- (a) by inserting after item 3 the following item:

3A.	Regulation 15(1A)	2
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- (b) by inserting after item 8 the following item:

8A.	Regulation 16(4A)	2
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- (c) by omitting item 24 and substituting the following item:

24.	Regulation 22(3)	2
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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 7 October 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) updating the definition of a podiatric surgeon to a surgical podiatrist; and
- (b) facilitating and regulating the administration of narcotic substances to patients by endorsed midwives; and
- (c) authorising dental hygienists to undertake certain functions as part of dental practice; and
- (d) effecting minor statute law revision.