

## POISONS AND THERAPEUTIC GOODS ACT 1966

Section 10 Poisons and Therapeutic Goods Act 1966  
Clauses 170 and 171 of the Poisons and Therapeutic Goods Regulation 2008

### AUTHORITY

I, Dr Kerry Chant, Chief Health Officer, a duly appointed delegate of the Secretary, NSW Health, make this instrument pursuant to clauses 170 and 171 of the Poisons and Therapeutic Goods Regulation 2008 for the purpose of section 10 of the Poisons and Therapeutic Goods Act 1966.



Dr Kerry Chant  
Chief Health Officer  
Dated: 8/4/2022

### Authority – Supply of oseltamivir by a responsible person at a residential care facility

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#### 1) Authorisation

This instrument authorises a responsible person at a residential care facility to supply oseltamivir (the Substance) to a nurse at a residential care facility subject to the conditions in clause 3 of this instrument.

#### 2) Definition

In this instrument:

- Public health organisation has the meaning given in the Health Services Act 1997
- Residential care facility has the same meaning as the Poisons and Therapeutic Goods Regulation 2008 (**Regulation**)
- Responsible person means the responsible person in relation to a residential care facility within the meaning of the Regulation.

#### 3) Conditions

##### A. Limitation on supply

- i) The responsible person must obtain the stock of the substances from the National Medical Stockpile or a public health organisation or the State Vaccine Centre.
- ii) The responsible person must only supply the Substance to a nurse at a residential care facility.
- iii) The responsible person must take reasonable steps to ensure that the Substance is only administered to a patient on the order of a medical practitioner or nurse practitioner.

**4) Publication**

This instrument will be published on the NSW Health website.

**5) Duration**

This instrument expires at the end of 31 March 2024 unless repealed earlier.