

# Medicines and Poisons Act 2019

Factsheet – current as at September 2021

## Ships

### How are ships authorised to deal with medicines?

One of the ways under the *Medicines and Poisons Act 2019 (MPA)* for a person to be 'authorised' to carry out regulated activities with regulated substances is if they are an 'approved person'.

An approved person is a member of a class of persons prescribed under a regulation for a regulated activity with a regulated substance for the class of persons.

For a ship, such authority is given under Schedule 13, Part 5 of the *Medicines and Poisons (Medicines) Regulation 2021 (MPMR)*

### What dealings does this authority allow?

A **ship** is any kind of boat or other vessel used, or intended to be used, in navigation by water or for any other purpose on water (as defined by the *Transport Operations (Marine Safety) Act 1994*, section 10).

A **master** of a ship means the person having command or charge of the ship.

Schedule 13, Part 5 of the MPMR, allows the following dealings.

A *master* of a ship can:

- Buy stock of any schedule 2, 3, 4 and 8 medicine for the purpose of ensuring the health and safety of persons on the ship; and
- Administer these medicines to treat a person on a ship, so long as it is accordance with the medicine's approved label.

An *employee* on a ship can:

- Administer a 'ship's medicine' to treat a person on a ship, so long as it is accordance with the medicine's approved label.

For this purpose, a '**ship's medicine**' means an S2 or S3 medicine kept on a ship under any of the following laws—

- a the Transport Operations (Marine Safety) Act 1994;
- b the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cwlth);
- c the Navigation Act 2012 (Cwlth).

## How does a ship's master buy stock of a medicine?

Any person authorised to buy a scheduled medicine must do so using a purchase order. There are specific requirements in the MPMR about the details required to be on a purchase order.

In addition to these requirements, a ship's master must have a medical practitioner sign a purchased order when buying schedule 4 or 8 medicines, unless these medicines are a requirement under another law, for example, under marine law requiring certain schedule 4 or 8 medicines to be kept for a certain class of vessel.

## Where can a master of a ship buy medicines?

The master of a ship can buy the stock of medicines, using a purchase order, from a person who is authorised to supply them, such as a licensed wholesaler of scheduled medicines or from a pharmacist.

**Note:** under previous legislation, the *Health (Drugs and Poisons) Regulation 1996*, a specific approval was required by a pharmacist or licensed wholesaler to sell to a master of a ship. This is no longer the case under the MPMR.

## Other obligations

A master of a ship will require compliance with storage and record keeping relevant to the schedule of the medicine bought and administered (see relevant fact sheets on storage and record keeping).

## Associated guidance documents

- Authorisations and activities – factsheet

## Further information

For further information, contact the Healthcare Approvals and Regulation Unit:

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