

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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