

Medicines and Poisons Act 2019

Carriers fact sheet – current as at March 2023

Carriers – medicines

Who are carriers?

A carrier is defined in the *Medicines and Poisons (Medicines) Regulation 2021 (MPMR)* as ‘a person engaged to deliver a medicine from place to place’.

How are carriers authorised to deal with medicines?

Under the *Medicines and Poisons Act 2019 (MPA)*, an ‘approved person’ is a member of a class of person authorised to carry out a regulated activity with a regulated substance. Carriers are a class of approved persons under Schedule 15 of the MPMR and are authorised to carry out a dealing mentioned in column 1 of the table below with the medicines mentioned opposite in column 2 within the scope of dealing mentioned in column 3.

Schedule 2 medicines (pharmacy medicine) and Schedule 3 medicines (pharmacist only medicine) are not listed in the table as no authorisations under the MPMR are required for any person to possess these medicines, given their scheduling classification in the Commonwealth Poisons Standard (the Standard for the Uniform Scheduling of Medicines and Poisons).

	Column 1 – dealings	Column 2 – medicines	Column 3 – scope of dealings
1	Possess	an s4 or s8 medicine	The medicine is possessed for the purposes of delivery of the medicines

Do carriers need a substance authority such as a wholesale licence or general approval?

No, carriers do not need a Queensland wholesale licence or general approval **to deliver medicines from one place to another.**

As part of delivery, which may take multiple days, stock may be taken from one vehicle to another along the way, and the carrier may take stock off the vehicle to a secure area during the transit, awaiting connection, but stock cannot be transported to an unlicensed premise pending purchase.

If we do more than delivery, is a substance authority such as a wholesale licence or general approval required?

Generally, no. Aspects of the supply process may be outsourced by wholesale suppliers to third parties without the third party requiring a licence, provided that certain requirements are met:

- Medicines can only be stored at an authorised location i.e. at a place stated in a licence for that supplier; and
- Medicines can only be handled by employees (includes contractors) of the wholesale supplier.

Where a third party offers products for sale, they will require a wholesale licence. In other circumstances, it is likely that the third party will operate under the authority of the wholesale supplier's wholesale or manufacturing licence and will need to meet the conditions of the licence and comply with the wholesaler's substance management plan (**SMP**).

As there are numerous ways in which the supply chain can be managed, additional information has been provided in the *Factsheet* – 'When is a wholesale licence required?', to help support entities determine whether a licence is required in their circumstances.

How does the scheme regulate carriers?

Carriers of medicines (other than medicated feed for a group of animals) must comply with the requirements specified in Chapter 4, Part 5 – Possessing stock for delivery and Chapter 8, Part 2, Division 4 – Carriers.

In summary, these requirements specify that, carriers and their employees must:

- Take all reasonable steps to maintain the stock within any temperature limits notified by the supplier.
- Deliver the stock to the street address stated on the packaging for the stock.
- Only leave the stock at the street address if the carrier obtains a written receipt for the delivery of the stock from—
 - the person named on the package for the stock; or
 - an adult acting, or purportedly acting, on behalf of the person at the address.
- Not leave stock of medicines unattended, other than in a secure area.
- Take all reasonable steps to establish a tracking system (a system designed to electronically track the location of the stock from time to time while the stock is in transit) to track stock of any medicines being delivered by the carrier.
- Employees of carriers must use any tracking system established by the carrier in the way advised to the employee.

Key points – carriers

- Carriers are authorised to deliver medicines from one location to another.
- As part of delivery, which may take multiple days, medicines may be taken from one vehicle to another along the way, and the carrier may take stock off the vehicle to a secure

area during the transit awaiting connection, but stock cannot be transported to an unlicensed premise pending purchase.

- A logistics company that is engaged to store, distribute or transport medicines for a manufacturer or wholesaler, is not required to hold a licence or a general approval, provided that the place where the medicines are stored are stated on the manufacturing or wholesale licensee's licence and the employees are authorised under the licence.
- If a manufacturing or wholesale licence holder engages a logistics company to store, distribute or transport medicines, the licence holder is responsible for meeting the requirements under the MPA. This includes developing and implementing an SMP to ensure safety and security in all dealings with medicines.
- Irrespective, carriers and logistics companies must comply with the requirements of the MPMR (in particular Chapter 4, Part 5 and Chapter 8, Part 2) and, if authorised under a manufacturing or wholesale licence, comply with the conditions of the licence and the licensee's SMP.
- Carriers must take all reasonable steps to establish a tracking system to electronically track the location of the stock from time to time while the stock is in transit and employees must use the system in the way advised.

Associated guidance documents

- *When is a wholesale licence required* – factsheet
- *Wholesale suppliers* – factsheet
- *Substance management plans* – factsheet
- *Medicinal cannabis wholesalers* – factsheet
- *Commonwealth law manufacturers* – factsheet
- *Medicated feed* – factsheet
- *Substance authorities* – factsheet
- Wholesale licence (medicines) – *initial* application form and guideline

Further information

For further information, contact the Healthcare Approvals and Regulation Unit (HARU): HARU@health.qld.gov.au.