

# DHHS Lawful supply of Schedule 4 or Schedule 8 poisons for racing yachts

Protocol for Lawful Supply of Medicines

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# PROTOCOL for Lawful Supply of Schedule 4 or Schedule 8 Poisons to Racing Yachts in Victoria

Possession and supply of Schedule 4 and Schedule 8 poisons are regulated under the *Drugs, Poisons and Controlled Substances Act 1981* (the Act) and the *Drugs, Poisons and Controlled Substances Regulations 2017* (the Regulations) in Victoria. Only those persons or businesses with specific authorisation may supply scheduled poisons to a yacht owner or crew member of a racing yacht in Victoria.

## Background

Australian Sailing has published the Special Regulations, Part 1 for Racing Boats For 2017-2020 Containing The 2017-2021 Racing Rules of Sailing (RRS) of the International Sailing Federation and the Prescriptions and Special Regulations (SR) of Australian Sailing - <http://www.sailing.org.au/wp-content/uploads/2017/12/170601-Special-Regulations-Part-1-Keelboats.pdf>

This publication defines the race categories and the corresponding requirements for the basic Medical Kit, including the medications to be carried on board the yacht, when competing in a race of each category. See Item 4.07 MEDICAL KIT AND MANUAL of the Australian Sailing SR Part 1 Section 4.

Contents of the basic Medical Kit may be modified under the circumstances described in Item 4.07.

## Possession by a yacht owner or crew member

Regulation 7(1) Item 14 of the Regulations states:

*'A yacht owner or crew member who is a member of Australian Sailing Limited and whose yacht is entered in a race conducted under the rules of Australian Sailing Limited' is authorised to obtain or possess 'Those Schedule 4 poisons or Schedule 8 poisons contained in the medical kit for the purpose of the Australian Sailing Limited race category in which the yacht is entered'.*

Yacht owners or crew members need to refer to the Australian Sailing publication above to ascertain the requirements for the Medical Kit, including the Schedule 4 and Schedule 8 poisons that correspond to the category of race in which the yacht is entered, before obtaining the medical supplies.

Yacht owners or crew members are advised to take a copy of the Australian Sailing publication or copies of the relevant pages to the supplier, in order for the supplier to verify the list of medications requested.

## Supply of Schedule 4 poisons or Schedule 8 poisons to a yacht owner or crew member

Lawful supply of Schedule 4 or Schedule 8 poisons to a yacht owner or crew member for the purpose of inclusion in the Medical Kit is restricted to:

- A pharmacist authorised by and acting in accordance with Section 13 of the Act or
- A holder of a current wholesale licence to supply Schedule 4 or Schedule 8 poisons in accordance with Part II Divisions 4 and 8 of the Act.

A pharmacist acting in the lawful practice of his profession may lawfully supply a yacht owner or crew member in accordance with Regulation 47(1)(i).

## Identification and Documentation

Prior to supplying the scheduled medicines to a yacht owner or crew member, a pharmacist or wholesaler should:

- Observe proof of ownership or crew membership of the yacht;
- Observe proof of entry into the race, and the race category;
- Observe photo identification of the yacht owner or crew member;
- Check that the Schedule 4 or Schedule 8 medicines requested are consistent with those defined for the race category in which the yacht is entered; and
- Record the observations or keep a copy of relevant documents to verify that supply is lawful.

The pharmacist or wholesaler can obtain a copy of the publication by contacting Australian Sailing on (02) 8424 7400 or <http://www.sailing.org.au/> or at <http://www.sailing.org.au/wp-content/uploads/2017/12/170601-Special-Regulations-Part-1-Keelboats.pdf>

Alternatively, the pharmacist or wholesaler may request that the yacht owner or crew member provides a copy of the publication or relevant pages prior to supply.

## Storage

Schedule 4 and Schedule 8 medicines should be stored in accordance with the Regulations (Regulation 75). The medicines should be stored in a lockable container securely attached to a fixed internal structure of the yacht. The keys to this container should be kept on the person of the medical officer, if one is designated, and one other crew member.

Therapeutic storage of medicines is usually below 25°C. As this temperature may be exceeded in enclosed yachts, the Australian Sailing publication recommends that medicines be replaced annually.

## Disposal of unused medications

Pharmacists and wholesalers supplying any Schedule 4 or Schedule 8 poisons to the yacht owner or crew member should encourage the return of the medicines to a pharmacy or to the wholesaler for appropriate disposal.

## Records

Pharmacists and wholesalers must keep a record of all transactions of Schedule 4 and Schedule 8 poisons, as required in the Regulations Chapter 2 Part 13 - Records. Records must be kept for three years.

The yacht owner or crew member must keep a record of the purchase, administration and disposal of any Schedule 4 or Schedule 8 poison and investigate any discrepancies in these records. Unresolved discrepancies in records, or loss, destruction or theft of records, must be reported to Drugs and Poisons Regulation at the Department of Health and Human Services.

Loss or theft of Schedule 4 or Schedule 8 poisons must be notified immediately to Victoria Police or Drugs and Poisons Regulation.

# CHECKLIST for Lawful Supply of Schedule 4 or Schedule 8 Poisons to Racing Yachts in Victoria

## Victorian Pharmacists and Wholesalers may supply Schedule 4 and Schedule 8 Poisons to a yacht owner or crew member

A pharmacist acting in the lawful practice of their profession and a wholesaler holding a current licence to supply by wholesale, may lawfully supply a yacht owner or crew-member in accordance with the Act and Regulations.

### Identity of owner or crew-member:

- Sighted and retained copy of, driver's licence/passport/other ID.
- Sighted and retained copy of, proof of ownership of yacht.
- Sighted and retained copy of, documentation authorising crew-member (e.g. authorisation/documentation from yacht owner).

### Yacht Race:

- Sighted proof of entry into and category of, yacht race.

### Scheduled Medications:

- Scheduled medicines are consistent with race category.

### Records:

- Pharmacist/wholesaler has retained a record of medicines supplied.
- Discussed recording the use of medications by yacht personnel.

### Storage:

- Emphasised the appropriate method of storage of scheduled medicine (e.g. in a lockable facility securely attached within the yacht).

### Disposal of Medications:

- Discussed appropriate disposal of Schedule 4 and 8 medicines (e.g. return to pharmacy).

## Declaration by Yacht Owner or Crew Member

I certify I have obtained Schedule 4 or Schedule 8 Poisons for the purposes of this race in accordance with the provisions contained in the Special Regulations Part 1 for Racing Boats For 2017-2020 containing *The 2017-2021 Racing Rules of Sailing (RRS) of the International Sailing Federation and the Prescriptions and Special Regulations (SR) of Australian Sailing*.

Signature: \_\_\_\_\_

Name in Print: \_\_\_\_\_ Yacht Owner/Crew Member

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.

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Available at <https://www2.health.vic.gov.au/public-health/drugs-and-poisons/drugs-poisons-legislation/drugs-and-poisons-act-regulations>