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Drugs, Poisons and Controlled Substances Act 1981
PUBLIC HEALTH EMERGENCY ORDER UNDER SECTION 22D
Authorisation — COVID-19 VACCINE (Department of Defence)

I, Jacinda de Witts, Acting Secretary to the Department of Health, pursuant to section 22D of the **Drugs, Poisons and Controlled Substances Act 1981**, make this Public Health Emergency Order (**Order**) in the belief that it is necessary to do so to prevent or respond to, a serious risk to public health posed to the State of Victoria by severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**).

The purpose of this Order is to address the public health emergency posed by the ongoing global SARS-CoV-2 pandemic, which is currently affecting the State of Victoria.

In furtherance of that purpose, this Order is intended to facilitate the SARS-CoV-2 (COVID-19) VACCINE program, by authorising the **Department of Defence** to obtain, possess or supply:

- (a) **COVID-19 VACCINE** which is a Schedule 4 poison; and
- (b) **relevant Schedule 3 poisons**,

in accordance with the conditions outlined in this Order.

All **authorised persons**, irrespective of their status under the Act and the **Regulations**, are to adhere to the conditions of this Order.

Authorisation

By this Order, I authorise the **Department of Defence**, to obtain, possess or supply, any **COVID-19 VACCINE** and any relevant Schedule 3 poisons in accordance with the Act, the **Regulations** and any other applicable Victorian legislation, subject to the **Department of Defence** complying with the requirements of the *COVID-19 Vaccination Program Commonwealth Aged Care Implementation Plan* and the *COVID-19 Vaccination Program Disability Sector Implementation Plan*, manufacturers' directions and Victorian and Commonwealth requirements for the:

- i. safe and secure storage, transport and custody of the medicines;
- ii. retention of records;
- iii. storage of temperature-sensitive medicines and cold chain management;
- iv. disposal of unused, unwanted, or expired medicines; and
- v. appropriate preparation and administration of the **COVID-19 VACCINE** by authorised persons.

The authorisation of the **Department of Defence**, to obtain, possess or supply any **COVID-19 VACCINE** and any relevant Schedule 3 poisons by this Order, is also subject to the **Department of Defence** complying with the requirement to:

- i. implement a quality and safety framework in accordance with the Australian Commission on Safety and Quality in Health Care's National Safety and Quality Health Service Standards;
- ii. implement an operational clinical governance framework in accordance with the Australian Commission on Safety and Quality in Health Care's National Model Clinical Governance Framework; and
- iii. ensure reporting of medically attended adverse events as per recommendations issued by the TGA and in line with the Victorian Surveillance of Adverse Events Following Vaccination in the Community reporting requirements.

As part of this Order, the **Department of Defence** must comply with any reasonable direction given by the **Department of Health** for the purposes of compliance with the conditions of this Order.

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- (iv) which must be kept by an authorized person in a part of his premises which is or parts of his premises which are not readily accessible to the public.

SCHEDULE FOUR (RESTRICTED SUBSTANCES)

Substances or preparations—

- (a) the supply of which in the public interest should be restricted to medical, dental or veterinary prescription; or
 (b) which are potentially harmful but the toxic or deleterious nature of which has not yet been evaluated.

SCHEDULE FIVE (HAZARDOUS SUBSTANCES)

Substances or preparations of a hazardous nature commonly used for domestic purposes, which must be readily available to the public but which may require caution in handling, use, storage, labelling and packaging.

SCHEDULE SIX (INDUSTRIAL AND AGRICULTURAL POISONS)

Substances or preparations which must be readily available to the public for agricultural, pastoral, horticultural, veterinary, photographic, or industrial purposes or for the destruction of pests.

SCHEDULE SEVEN

Part 1—(Dangerous Poisons)

Substances or preparations which are of such extreme danger to life as to warrant limitation of their distribution to qualified or experienced persons and which may require special precautions in manufacture distribution or use and for which special individual labelling and distribution regulations may be required.

Part 2—(Special Poisons)

Substances or preparations of exceptional danger if misused or carelessly handled and which warrant limitation of their distribution to qualified or experienced persons and require special precautions in manufacture, sale, distribution or use.

SCHEDULE EIGHT (DRUGS OF ADDICTION)

Substances or preparations which are addictive or dependence-producing drugs or potentially addictive or dependence-producing drugs including those so classified by the United Nations Organization or its agencies.

(2) The Governor in Council may by proclamation amend Schedule One, Two, Three, Four, Five, Six, Seven, Eight or Eleven or any of those Schedules as so amended—

- (a) by adding to any Schedule or removing therefrom any item;
 (b) by transferring any substance from any of the Schedules to any other of the Schedules; or

(c) by