

WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

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## AMENDMENTS AND SCHEDULES

Supplementary Notice Paper No. 23  
Issue No. 1

WEDNESDAY, 19 FEBRUARY 2014

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### *MEDICINES, POISONS AND THERAPEUTIC GOODS BILL 2013 [23-2]*

When in committee on the *Medicines, Poisons and Therapeutic Goods Bill 2013*:

**Clause 78**

**Committee Recommendation 7:**

**1/78** Page 57, line 8 — To insert after “force” —

at the time

**Committee Recommendation 8:**

**2/78** Page 57, lines 21 to 23 — To delete the lines.

**New Clause 78A****Hon Kate Doust:** To move –**5/NC78A** Page 57, after line 23 — To insert —**78A. Certain instruments to be published, and may be disallowed by Parliament**

- (1) This section applies to the following instruments —
  - (a) regulations made under the *Therapeutic Goods Act 1989* (Commonwealth);
  - (b) manufacturing principles made under the *Therapeutic Goods Act 1989* (Commonwealth);
  - (c) an order made under the *Therapeutic Goods Act 1989* (Commonwealth);
  - (d) declarations of the Secretary made under the *Therapeutic Goods Act 1989* (Commonwealth).
- (2) Where an instrument to which this section applies is made, a copy of the instrument must be published in the *Gazette* not later than 28 days after the instrument was made.
- (3) If a copy of an instrument is not published in the *Gazette* in accordance with subsection (2) —
  - (a) the instrument ceases to have effect in this jurisdiction on the expiry of the 28<sup>th</sup> day after the instrument is made, but without affecting the validity or curing the invalidity of anything done or of the omission of anything in the meantime; but
  - (b) if a copy of the instrument is subsequently published in the *Gazette*, the instrument again has effect on and from the day after the day of publication of a copy of the instrument.
- (4) Where a copy of an instrument to which this section applies is published in the *Gazette*, the *Interpretation Act 1984* section 42 applies to that instrument as if it were a regulation published in the *Gazette*.

**Clause 82****Committee Recommendation 10:****3/82** Page 59, lines 13 and 14 — To delete the lines and insert —

- (b) any provision of a Commonwealth administrative law applying because of this section that purports to confer jurisdiction on a federal court is taken not to have that effect.

**Clause 148****Committee Recommendation 11:****4/148** Page 96, line 6 — To delete “this Act.” and insert —

the Act in force at the time.

