

Misuse of Drugs (Pseudoephedrine) Amendment Bill 2024

Legislative Statement

Presented to the House for the Second Reading, in accordance with Standing Order 272 J.17

Overview

1. The Misuse of Drugs (Pseudoephedrine) Amendment Bill 2024 amends the Misuse of Drugs Act 1975 and the Misuse of Drugs Regulations 1977.
2. The policy intent behind the bill is to allow for the sale of cold and flu medicines containing pseudoephedrine without a prescription. The bill reverses restrictions made in 2011 in an attempt to control the supply of methamphetamine.
3. The Government has also amended the Medicines Regulations 1984, to reschedule cold and flu medicines containing pseudoephedrine as restricted medicines. Together, these changes will enable consumers to purchase cold and flu medicines containing pseudoephedrine by way of a face-to-face transaction with a pharmacist.

Reclassifying pseudoephedrine as a controlled drug

4. The bill reclassifies pseudoephedrine from a Class B2 to a Class C3 controlled drug under the Misuse of Drugs Act. Class C3 controlled drugs are defined as ‘partially exempted’ drugs under the Misuse of Drugs Regulations, meaning they are exempt from some requirements (e.g. storage requirements) that would restrict access for therapeutic use.
5. Reclassifying pseudoephedrine as a Class C3 controlled drug will achieve the policy intent behind the bill, while also ensuring that illicit use of the drug is managed. Notably, a licence to import and export products containing pseudoephedrine will still be required.
6. The bill also makes some consequential amendments to the Misuse of Drugs Regulations.

Health Committee consideration

7. The Health Committee has recommended that the bill be passed without amendment.
8. The committee received 179 submissions. 113 submitters were opposed to the bill, 43 were in favour, and 23 did not express a position. Most of the organisations that submitted supported the bill.