

**THERAPEUTIC GOODS AND COSMETICS
(AMENDMENT) BILL 1986**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 14, 1972

SCHEDULE 1—AMENDMENTS TO THE THERAPEUTIC GOODS AND
COSMETICS ACT 1972



FIRST PRINT

**THERAPEUTIC GOODS AND COSMETICS
(AMENDMENT) BILL 1986**

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EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Therapeutic Goods and Cosmetics Act 1972—

- (a) to make it an offence to use certain prescribed therapeutic devices except in accordance with a licence; and
- (b) to enable regulations to be made prohibiting or regulating the use of therapeutic devices.

Clause 1 specifies the short title of the proposed Act.

Clause 2 is a formal provision giving effect to the Schedule of amendments to the Principal Act.

Schedule 1 (1) repeals section 2 of the Principal Act (Division of Act) by way of statute law revision.

Schedule 1 (2) inserts a new section 16A into the Principal Act which creates the offence of using, without the authority of a licence, therapeutic devices prescribed by the regulations for the purposes of that section.

Schedule 1 (3) enables such licences to be issued.

Schedule 1 (4) provides for the making of regulations which prohibit or regulate the use of therapeutic devices.

Therapeutic Goods and Cosmetics (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE THERAPEUTIC GOODS AND COSMETICS
ACT 1972—*continued*

(b) Section 17 (1) (e), (f)—

At the end of section 17 (1) (e), insert:

; or

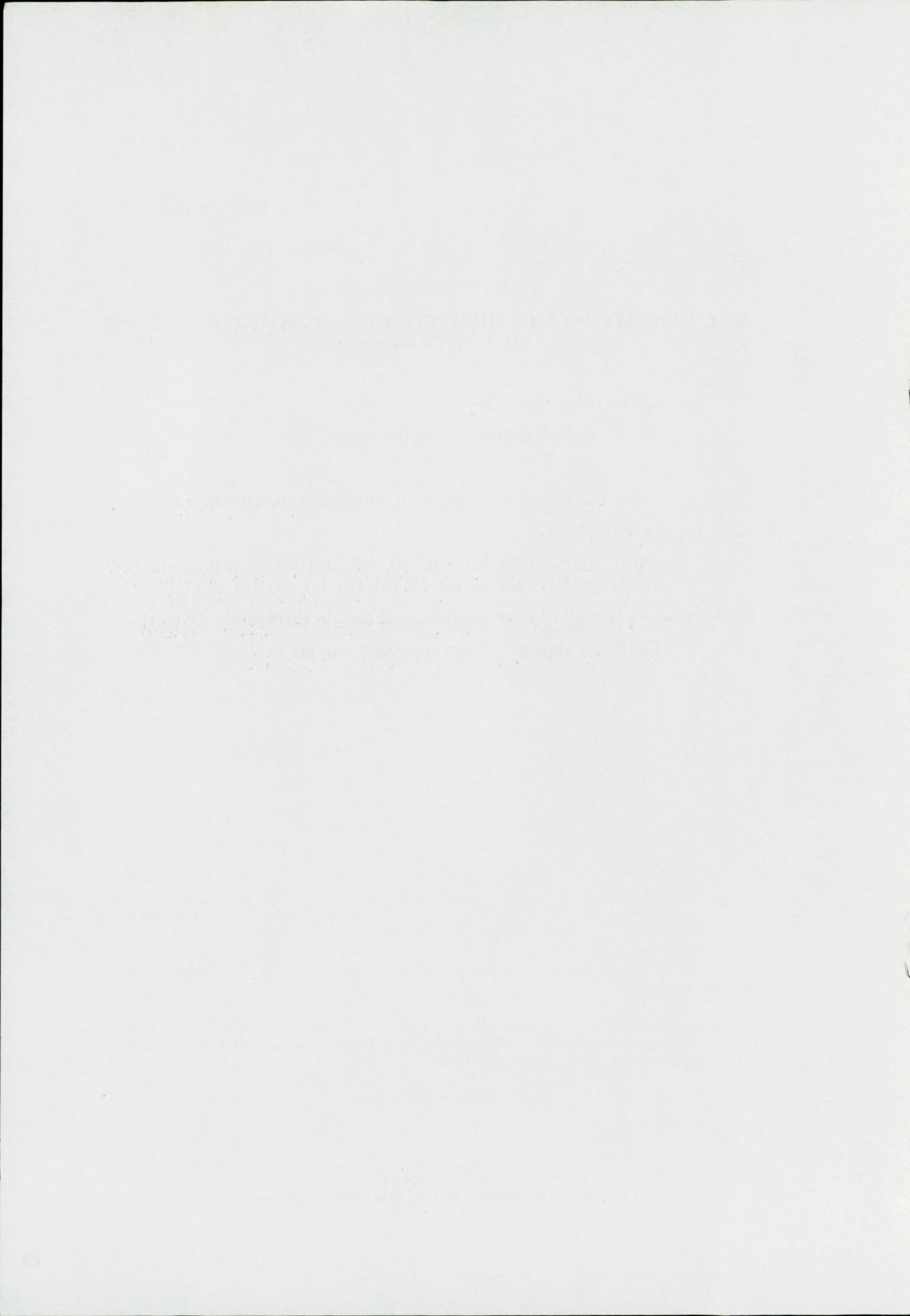
(f) the use of any device to which section 16A applies,

5 (c) Section 17 (2)—

Omit “paragraphs (a), (b), (c), (d) and (e) of subsection (1)”,
insert instead “subsection (1) (a), (b), (c), (d), (e) and (f)”.

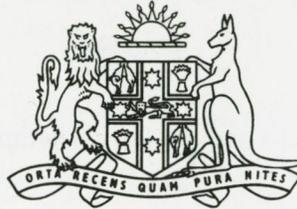
(4) Section 44 (**Prohibition or regulation of certain therapeutic devices**)—

Omit “or supply”, insert instead “, supply or use”.



**THERAPEUTIC GOODS AND COSMETICS
(AMENDMENT) BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Therapeutic Goods and Cosmetics Act 1972 in relation to the use of certain therapeutic devices; and for other purposes.

Therapeutic Goods and Cosmetics (Amendment) 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

5 Short title

1. This Act may be cited as the "Therapeutic Goods and Cosmetics (Amendment) Act 1986".

Amendment of Act No. 14, 1972

2. The Therapeutic Goods and Cosmetics Act 1972 is amended in the
10 manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

**AMENDMENTS TO THE THERAPEUTIC GOODS AND COSMETICS
ACT 1972**

15 (1) Section 2 (**Division of Act**)—

Omit the section.

(2) Section 16A—

After section 16, insert:

Use of therapeutic devices without license

20 16A. (1) A person who uses any device to which this section applies shall be guilty of an offence against this Act, unless that use is authorised under the terms of a license issued under this Act.

25 (2) This section applies to a therapeutic device prescribed as being a device to which this section applies.

(3) Section 17 (**Classes of licenses which may be issued**)—

(a) Section 17 (1) (d)—

Omit "or".

**THERAPEUTIC GOODS AND COSMETICS
(AMENDMENT) ACT 1986 No. 103**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Amendment of Act No. 14, 1972

SCHEDULE 1—AMENDMENTS TO THE THERAPEUTIC GOODS AND
COSMETICS ACT 1972



**THERAPEUTIC GOODS AND COSMETICS (AMENDMENT) ACT
1986 No. 103**

NEW SOUTH WALES



Act No. 103, 1986

An Act to amend the Therapeutic Goods and Cosmetics Act 1972 in relation to the use of certain therapeutic devices; and for other purposes. [Assented to 26 November 1986]

Therapeutic Goods and Cosmetics (Amendment) 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Therapeutic Goods and Cosmetics (Amendment) Act 1986".

Amendment of Act No. 14, 1972

2. The Therapeutic Goods and Cosmetics Act 1972 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 2)

AMENDMENTS TO THE THERAPEUTIC GOODS AND COSMETICS
ACT 1972

(1) Section 2 (**Division of Act**)—

Omit the section.

(2) Section 16A—

After section 16, insert:

Use of therapeutic devices without license

16A. (1) A person who uses any device to which this section applies shall be guilty of an offence against this Act, unless that use is authorised under the terms of a license issued under this Act.

(2) This section applies to a therapeutic device prescribed as being a device to which this section applies.

(3) Section 17 (**Classes of licenses which may be issued**)—

(a) Section 17 (1) (d)—

Omit "or".

Therapeutic Goods and Cosmetics (Amendment) 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE THERAPEUTIC GOODS AND COSMETICS
ACT 1972—*continued*

(b) Section 17 (1) (e), (f)—

At the end of section 17 (1) (e), insert:

; or

(f) the use of any device to which section 16A applies,

(c) Section 17 (2)—

Omit “paragraphs (a), (b), (c), (d) and (e) of subsection (1)”,
insert instead “subsection (1) (a), (b), (c), (d), (e) and (f)”.

(4) Section 44 (**Prohibition or regulation of certain therapeutic devices**)—

Omit “or supply”, insert instead “, supply or use”.



