



Therapeutic Goods (Prohibited and Restricted Representations—Vaccines) Permission 2026

I, Tracey Lutton, as delegate of the Secretary of the Department of Health, Disability and Ageing, make the following permission.

Dated 18 September 2026

Tracey Lutton
Assistant Secretary
Regulatory Compliance Branch
Health Products Regulation Group
Department of Health, Disability and Ageing

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1 Name

This instrument is the *Therapeutic Goods (Prohibited and Restricted Representations—Vaccines) Permission 2026*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is made.	19 September 2026

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 42DK of the *Therapeutic Goods Act 1989*.

4 Definitions

Note: A number of expressions used in this instrument are defined in subsection 3(1) of the Act, including the following:

- (a) advertise;
- (b) health practitioner;
- (c) indications;
- (d) Register;
- (e) registered goods.

In this instrument:

Act means the *Therapeutic Goods Act 1989*.

approved vaccination provider means a person that is:

- (a) a recognised vaccination provider within the meaning of the *Australian Immunisation Register Act 2015*; and
- (b) approved or authorised under relevant state or territory legislation to administer a registered vaccine.

prohibited representation means a representation referred to in subsection 42DJ(1) of the Act.

restricted representation means a representation referred to in section 42DD of the Act.

specified goods means a vaccine that is a registered good.

trade name has the same meaning as in the *Therapeutic Goods Regulations 1990*.

5 Permission

- (1) For subsection 42DK(1) of the Act, in relation to each item in the table in Schedule 1, the representations specified in column 2 (to the extent that those representations are restricted representations) are permitted to be used in advertisements specified in column 3 about specified goods, subject to the conditions (if any) specified in column 4.
- (2) For subsection 42DK(3) of the Act, in relation to each item in the table in Schedule 1, the representations specified in column 2 (to the extent that those representations are prohibited representations) are permitted to be used in advertisements specified in column 3 about specified goods, subject to the conditions (if any) specified in column 4.

6 Repeals

Each instrument that is specified in Schedule 2 is repealed as set out in the applicable items in that Schedule.

Schedule 1—Permission

Note: See section 5.

Permitted use of prohibited and restricted representations			
Column 1	Column 2	Column 3	Column 4
Item	Representation	Advertisement	Conditions
1	a representation, relating to the specified goods, that promotes the supply of the goods by a person mentioned in column 3	an advertisement about the specified goods that is made by: (a) an approved vaccination provider; or (b) a business that has established a workplace vaccination program in partnership with an approved vaccination provider; or (c) a health practitioner	the advertisement must not: (a) be inconsistent with the indication of the specified goods that is accepted in relation to the registration of the goods in the Register, or any conditions of registration relating to the goods; or (b) be inconsistent with government health messaging in relation to the specified goods; or (c) contain any reference to trade names of the specified goods; or (d) contain any statement to the effect that the specified goods are safe, cannot cause harm or have no side effects; or (e) contain any statement regarding the specified goods that is false or misleading

Schedule 2—Repeals

Note: See section 6.

Therapeutic Goods (Restricted Representations—COVID-19 Vaccines) ***Permission 2022***

1 The whole of the instrument

Repeal the instrument.

Therapeutic Goods (Restricted Representations—Influenza Vaccines) ***Permission 2022***

2 The whole of the instrument

Repeal the instrument.