



Therapeutic Goods (Restricted Representations—Government Health Campaigns) Permission 2019

I, Nicole McLay, as delegate of the Secretary of the Department of Health, make the following permission.

Dated 18 November 2019

Nicole McLay
Assistant Secretary
Regulatory Education and Compliance Branch
Health Products Regulation Group
Department of Health

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1 Name

This instrument is the *Therapeutic Goods (Restricted Representations—Government Health Campaigns) Permission 2019*.

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 November 2019

Note: This table relates only to the provisions of this instrument as originally made.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 section 3 of the Act, including the following:

- (a) Register;
- (b) State;
- (c) therapeutic goods; and;
- (d) Therapeutic Goods Advertising Code.

In this instrument:

Act means the *Therapeutic Goods Act 1989*.

Commonwealth health campaign means a campaign about a public health matter that is conducted, approved or funded by the Commonwealth.

State health campaign means a campaign about a public health matter that is conducted, approved or funded by a State.

Note: **State** is defined in section 3 of the Act as including the Australian Capital Territory and the Northern Territory.

restricted representation has the same meaning as in section 42DD of the Act.

serious form of a disease means a serious form of a disease within the meaning of section 28 of the Therapeutic Goods Advertising Code.

5 Permission

For subsection 42DK(1) of the Act, the restricted representations specified in column 2 of the table in Schedule 1 are permitted to be used in the advertisements specified in column 3 of the table, about the therapeutic goods specified in column 4 of the table, subject to the conditions (if any) specified in column 5 of the table, in relation to each item.

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: restricted representation

Note: See section 5.

Permitted use of restricted representation				
Column 1	Column 2	Column 3	Column 4	Column 5
Item	Restricted representation	Advertisement	Therapeutic goods	Condition
1	a representation that refers to a serious form of a disease that may be prevented, treated, alleviated or cured with a vaccine	an advertisement that is, or forms part of: (a) a Commonwealth health campaign; or (b) a State health campaign	a vaccine	

Schedule 2—Repeals

Note: See section 6.

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1. The whole of the instrument

Repeal the instrument.