



## **Therapeutic Goods (Prohibited Representations—Government Health Campaigns) Permission 2019**

---

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

Dated 20 December 2019

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

---

---

## Contents

1 Name _____	1
2 Commencement _____	1
3 Authority _____	1
4 Definitions _____	1
5 Permission _____	2
6 Repeals _____	2
<b>Schedule 1— Permission: prohibited representation _____</b>	<b>3</b>
<b>Schedule 2— Repeals _____</b>	<b>4</b>
<i>Therapeutic Goods (Prohibited Representations—Commonwealth Health Campaigns) Permission 2018</i>	4

---

## 1 Name

This instrument is the *Therapeutic Goods (Prohibited 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.	21 December 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Note: This table relates only to the provisions of this instrument as originally made.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 subsection 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; and
- (c) therapeutic goods.

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.

**prohibited representation** has the same meaning as in subsection 42DJ(1) of the Act.

<i>Therapeutic Goods (Prohibited Representations—Government Health Campaigns) Permission 2019</i>	1
---	---

---

## 5 Permission

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

## 6 Repeals

Each instrument that is specified in Schedule 2 is repealed as set out in the applicable items in that Schedule.

<i>Therapeutic Goods (Prohibited Representations—Government Health Campaigns) Permission</i> 2019	2
--	---

## Schedule 1— Permission: prohibited representation

Note: See section 5

<b>Permitted use of restricted representation</b>				
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Item</b>	<b>Restricted representation</b>	<b>Advertisement</b>	<b>Therapeutic goods</b>	<b>Condition</b>
1	a representation regarding the prevention of the following sexually transmitted disease: (a) human papillomavirus	an advertisement that is, or forms part of: (a) a Commonwealth health campaign; or (b) a State health campaign	a vaccine for the prevention of the following sexually transmitted disease: (a) human papillomavirus	
2	a representation regarding the prevention of sexually transmitted diseases caused by the human papillomavirus, including: (a) anal warts (b) genital warts	an advertisement that is, or forms part of: (b) a Commonwealth health campaign; or (c) a State health campaign	a vaccine for the prevention of the following sexually transmitted disease: (a) human papillomavirus	
3	a representation regarding the prevention of neoplastic diseases caused by the human papillomavirus, including: (a) cancer of the cervix; (b) cancer of the vulva; (c) cancer of the vagina; (d) cancer of the anus; (e) cancer of the penis; (f) cancer of the mouth; (g) cancer of the throat	an advertisement that is, or forms part of: (a) a Commonwealth health campaign; or (b) a State health campaign	a vaccine for the prevention of the following sexually transmitted disease: (a) human papillomavirus	

---

## Schedule 2—Repeals

Note: See section 6.

### *Therapeutic Goods (Prohibited Representations—Commonwealth Health Campaigns) Permission 2018*

#### 1 The whole of the instrument

Repeal the instrument