



Therapeutic Goods (Restricted Representations—Arthritis Australia) Permission 2019

I, Leanne McCauley, as delegate of the Secretary of the Department of Health, make the following permission.

Dated 20 December 2019

Leanne McCauley
Director, Advertising Education and Assurance Section
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—Arthritis Australia) 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.	

Note: This table relates only to the provisions of this instrument as originally made.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) advertise;
- (b) therapeutic goods; and
- (c) Therapeutic Goods Advertising Code.

In this instrument:

Act means the *Therapeutic Goods Act 1989*.

Arthritis Australia means the Arthritis Foundation of Australia (ACN 002 598 594).

ease of use certification logo means the logo set out in Schedule 2.

easy to open certification logo means the logo set out in Schedule 3.

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, in relation to each item mentioned in the table in Schedule 1, the restricted 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.

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: (a) relates to, or can be taken to relate to, a serious form of arthritis; and (b) is a reference to certification by Arthritis Australia	an advertisement that contains the ease of use certification logo	therapeutic goods that have been assessed by Arthritis Australia as being accessible for persons who have arthritis and other physical limitations	Arthritis Australia has certified the use of the ease of use certification logo in relation to the therapeutic goods
2	a representation that: (a) relates to, or can be taken to relate to, a serious form of arthritis; and (c) is a reference to certification by Arthritis Australia	an advertisement that contains the easy to open certification logo	therapeutic goods with packaging that has been assessed by Arthritis Australia as being accessible for persons who have arthritis and other physical limitations	Arthritis Australia has certified the use of the easy to open certification logo in relation to the therapeutic goods

Schedule 2—Ease of use certification logo

Note: See section 4, definition of *ease of use certification logo*.



Schedule 3—Easy to open certification logo

Note: See section 4, definition of *easy to open certification logo*.

