

Canberra Script Terms of Use

1. Introduction

Canberra Script is the Australian Capital Territory (ACT) monitored medicines database which records real-time information about the prescription and supply of monitored medicines. The website, canberrascript.act.gov.au, provides an online access point to **Canberra Script**.

The Australian Capital Territory, the body politic established by section 7 of the *Australian Capital Territory (Self-Government) Act 1988* (Cth) represented by the ACT Health Directorate (referred to hereafter as “**the Directorate**”) operates **Canberra Script**.

In these Terms of Use the words "you" and "your" refer to the person who registers for and uses **Canberra Script**. These Terms of Use are governed by, and are to be construed in accordance with, the laws of the ACT, Australia.

If inappropriate use by a health practitioner is detected, penalties may apply under ACT law and the matter may also be referred to the Australian Health Practitioner Regulation Agency (AHPRA) for investigation and possible disciplinary action.

2. Disclaimer

The content of Canberra Script is made available for information purposes and to assist you to fulfil your legal obligations under the *Medicines, Poisons and Therapeutic Goods Act 2008* (referred to hereafter as “**MPTG Act**”) and the Medicines, Poisons and Therapeutic Goods Regulation 2008 (referred to hereafter as “**the MPTG Regulation**”).

To the maximum extent permitted by law, **the Directorate** disclaims any liability for any claim, action, damage, loss, compensation or cost arising directly or indirectly as a result of any use, inability to use or misuse by you of Canberra Script (**Loss**) and you release and indemnify **the Directorate** from any **Loss**.

3. Application of these Terms of Use

By using **Canberra Script**, you acknowledge and agree that:

- you have read, understood and agree to be bound by these Terms of Use;
- you are being granted access to use **Canberra Script** by **the Directorate**;
- these Terms of Use constitute a legally binding agreement between you and **the Directorate**;
- you understand it is an offence to access, use or disclose information on **Canberra Script** other than in accordance with Chapter 6A of the **MPTG Act**;

- you understand all intellectual property rights (including copyright) in all data and information entered into, or uploaded by you, through **Canberra Script** is, and will, be owned by **the Directorate**;
- you understand that the accuracy of the information in **Canberra Script** is largely dependent on factors outside of **the Directorate's** control, and that the information in **Canberra Script** may not include a complete record of a consumer's prescription history of monitored medicines as regulated under **the MPTG Act**. Consequently, you should exercise care when making decisions in relation to the prescription or supply of monitored medicines, based on information in **Canberra Script**;
- you will allow **the Directorate** to undertake, and cooperate with, any audit or investigation which **the Directorate** deems necessary to verify that you are complying with **the MPTG Act**, the *Health Records (Privacy and Access) Act 1997*, and the *Privacy Act 1988* (Cth) (if applicable);
- you acknowledge that access to **Canberra Script** may not be continuous or uninterrupted at all times and may be interfered with by factors or circumstances outside of **the Directorate's** control;
- you understand that **Canberra Script** may be taken offline or otherwise be unavailable from time to time;
- you will be responsible, at your own cost, for obtaining and maintaining all computer hardware, software, internet connections and communications equipment needed by you to access **Canberra Script**, including any third-party access charges;
- you accept responsibility for all activities that occur under your account or password; and
- the courts of the ACT have exclusive jurisdiction to determine any legal proceedings in relation to any matter arising from these Terms of Use or **Canberra Script**.

If you do not agree to be bound by any of these Terms of Use, you are not authorised to use Canberra Script and must refrain from accessing it.

These Terms of Use will apply in addition to any other obligations you may have in relation to **Canberra Script** under law, including the:

- *Medicines, Poisons and Therapeutic Goods Act 2008*;
- Medicines, Poisons and Therapeutic Goods Regulation 2008
- *Health Records (Privacy and Access) Act 1997*;
- *Privacy Act 1988* (Cth);
- *Copyright Act 1968* (Cth); and
- *Information Privacy Act 2014*.

If these Terms of Use are inconsistent with your obligations under law, those obligations under law will prevail over these Terms of Use to the extent of the inconsistency.

The Directorate reserves for itself all rights and interests not explicitly granted under these Terms of Use.

4. Use of Canberra Script

4.1 Acceptable use of Canberra Script

Acceptable use of **Canberra Script** by the user is outlined below. As a user of **Canberra Script** you must:

- ensure that all data and information that you enter or upload through **Canberra Script** is true, accurate and complete; and
- only use text or information provided via **Canberra Script**, including datasets or data they contain, in a manner and for a purpose which is consistent with your legal obligations.

4.2 Unacceptable use of Canberra Script

Unacceptable use of **Canberra Script** is outlined, but not limited to the information below. As a user of **Canberra Script**, you must not:

- download or copy any text or data from **Canberra Script** which contains personal health information (as that term is defined in the *Health Records (Privacy and Access) Act 1997*) for any purpose other than those permitted under **the MPTG Act** or any other applicable law;
- do anything that has an impact on the performance of **Canberra Script** nor interfere with the operation of **Canberra Script** or the display of information on the website pages;
- probe, scan, test the vulnerability of, or circumvent any security mechanisms used by **Canberra Script**, servers, or networks connected to **Canberra Script**;
- use **Canberra Script** to post, promote, or transmit any unlawful, harassing, libellous, abusive, threatening, harmful, hateful, or otherwise objectionable material;
- transmit or post any material that encourages conduct that could constitute a criminal offence or give rise to civil liability;
- directly or indirectly distribute, license, loan, or sell any data, information or content that is contained or displayed on **Canberra Script**;
- directly or indirectly sell, license, or grant any access to or use of **Canberra Script** or any data or information contained or displayed on **Canberra Script** to any third party; modify, reverse engineer, decompile, decode, decrypt, disassemble, or derive any source code from **Canberra Script** or in any other way interfere with **Canberra Script** in whole or in part; and

- combine or incorporate the whole or any part of **Canberra Script** in any other program, system or other website.

4.3 Use of Canberra Script by interstate users

Access to **Canberra Script** may be provided to users outside of the ACT.

If you are accessing **Canberra Script** from outside of the ACT, these Terms of Use will apply in addition to any other obligations you may have under any other applicable law in your jurisdiction.

4.4 Use of Canberra Script information by the Directorate

The Directorate may access and use **Canberra Script** for a range of reasons. Those reasons include, but are not limited to:

- monitoring, promoting and protecting public health and safety;
- administering, developing and operating the database;
- facilitating research into the provision of healthcare;
- for the purpose of legal proceedings;
- ensuring compliance with **the MPTG Act** and relevant privacy legislation;
- entering into an arrangement with the Commonwealth, a state or the Northern Territory to allow access, use and disclosure of information on the monitored medicines database; and
- allowing a relevant health practitioner (as that term is defined in **the MPTG Act**) or any other person to access, use, and disclose information on the monitored medicines database.

5. Access to records

5.1 Relevant health practitioners

Section 97F of **the MPTG Act** permits relevant health practitioners to access and use **Canberra Script** for one or more of the following purposes:

- (a) to inform decisions in relation to the prescription or supply of a monitored medicine to a person under the relevant health practitioner's care;
- (b) to inform decisions in relation to the treatment or care of a person under the relevant health practitioner's care;
- (c) to disclose information about a person under the relevant health practitioner's care to that person;

(d) to disclose information about a person under the relevant health practitioner's care to another health practitioner involved in the person's treatment or care; and

(e) a purpose prescribed by regulation.

You are precluded by law from viewing consumer records if you are not involved in that consumer's medical care.

5.2 Non-health practitioner users

Where access to **Canberra Script** is granted to users who are not health practitioners, these users must only access and use **Canberra Script** in accordance with their access authority and applicable privacy legislation. Under **the MPTG Act**, written authorisation must include certain information, including the purpose for which the authority is issued and conditions that apply to the authority.

6. Health practitioner information

6.1 Collection of health practitioner personal data for registration

Relevant health practitioners will be able to access **Canberra Script** if they are registered in the system. As part of the registration process for **Canberra Script**, **the Directorate** will collect the following personal information:

- name;
- date of birth;
- Ahpra registration number;
- address of principal place of practice (as recorded by Ahpra);
- profession and specialty, if relevant, (as recorded by Ahpra);
- prescriber number (if relevant);
- email address (as recorded by Ahpra); and
- phone number.

The Directorate will use this information to verify your identity against the records held by Ahpra and record your registration in the system. Following verification of your identity, your date of birth will not be stored in **Canberra Script**. The contact details you provide on registration will not be made publicly available by **Canberra Script** and will only be used to communicate necessary correspondence. This includes password reset requests and important updates regarding **Canberra Script**.

You will be asked to nominate a username and unique password. You must keep this information secret and only access **Canberra Script** for a permitted purpose.

Failure to provide the information necessary for registration will mean that you will be unable to access **Canberra Script**.

6.2 Health practitioner information connected to consumer records

Canberra Script collects information about health practitioner's prescribing or dispensing of monitored medicines. Information that may be required on a prescription and dispensing record, will automatically be collected by **Canberra Script** from the Prescription Exchange Services. A Prescription Exchange Service provides safe and secure electronic transfer of prescription information between medical practitioners and pharmacists via a centralised repository. This information includes:

- consumer details;
- monitored medicines that are being prescribed or supplied (including details of prescription and supply);
- details of the prescriber; and
- details of the dispenser.

The Directorate stores the above health practitioner data securely through a range of security controls to protect the website.

6.3 Information connected to usage

Your use of **Canberra Script** is not private. **The Directorate** adheres to the Territory Privacy Principles (a copy of which can be found at <https://www.oaic.gov.au/privacy/privacy-in-your-state/privacy-in-the-act/territory-privacy-principles/>), but no data transmitted over the internet can be guaranteed as totally secure. We use cookies and other technologies on **Canberra Script**.

When an individual visits the **Canberra Script** website, **the Directorate** makes a record of your visit and logs the following information for statistical purposes:

- Information about your device;
- browser search engines;
- hosts;
- pages viewed;
- number of visits;
- access path; and
- platform used.

When an individual accesses the secure areas of the **Canberra Script** website, records of the individual activity are logged and used by **the Directorate** for auditing purposes. This information is also accessible to users to assist with the co-ordination of consumer care. The following is recorded:

- username of the individual;
- time and date of access; and
- records that have been accessed.

7. Suspension or termination of access

The Directorate can suspend or terminate your access to and use of **Canberra Script** at its sole discretion, for any reason, at any time, including if:

- **Canberra Script** is used by you in breach of these Terms of Use;
- there is a breach of security in respect of which **the Directorate** reasonably believes that the suspension of **Canberra Script** is necessary to protect **Canberra Script** or **the Directorate's** network or a third party network;
- due to unavailability of third-party networks and/or services, including without limitation telecommunications and internet service providers; and
- required by law or court order, or as compelled by a law enforcement or government agency or other relevant regulatory agency.

8. Privacy

You must promptly notify **the Directorate** if you fail to comply with this section of these Terms of Use, or if you become aware of any actual or threatened disclosure of or unauthorised access to personal information or personal health information.

8.1 Privacy legal responsibilities

Any user accessing personal health information must comply with both **the MPTG Act** and the *Health Records (Privacy and Access) Act 1997*. Users may also be required to comply with the *Privacy Act 1988* (Cth), or with other State/Territory privacy legislation if they are located outside the ACT.

8.2 Collection of information by the Directorate

The Directorate collects limited personal information from persons seeking to register for user access to **Canberra Script**. This information is collected under the *Information Privacy Act 2014*.

8.3 Information Privacy Policy

The Directorate Information Privacy Policy can be found at [Publications | Health \(act.gov.au\)](#). This policy contains information about how personal information collected about you by **the Directorate** is managed, and includes information on how you can access your personal information, seek corrections of your personal information, and make a complaint about a breach of Territory Privacy Principles.

8.4 Information Sharing

The Directorate may enter into an arrangement with another Australian jurisdiction that involves the disclosure of information within **Canberra Script**. **The Directorate** is continuing to work and share information with the Commonwealth Government as part of the National Real Time Prescription Monitoring system. Further information can be found at <https://www.health.gov.au/initiatives-and-programs/national-real-time-prescription-monitoring-rtpm>.

The Directorate is unlikely to disclose personal information held within **Canberra Script** to any overseas recipients.

9. Website matters

9.1 Account access

You are responsible for maintaining the confidentiality of your account and password. You must only use your own account and password when accessing the **Canberra Script** website. If you become aware of unauthorised access to your **Canberra Script** account, you must notify **the Directorate** immediately via canberrascript@act.gov.au.

9.2 Technical support

If you experience technical problems with **Canberra Script** not related to your PC or other device, communications line or internet service provider, please contact **Canberra Script** technical support for assistance.

For technical support	For general enquiries
Email: itsupport.canberrascript@act.gov.au	Email: canberrascript@act.gov.au

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Accessibility

If you have difficulty reading a standard printed document and would like an alternative format, please phone 13 22 81.



If English is not your first language and you need the Translating and Interpreting Service (TIS), please call 13 14 50.

For further accessibility information, visit: www.health.act.gov.au/accessibility

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