

## **DRAFT SECOND READING SPEECH**

**HON. MICHAEL FERGUSON MP**

### ***Pharmacy Control Amendment Bill 2016***

*\*check Hansard for delivery\**

Madam Speaker

I move that the Bill now be read a second time.

Pharmacy businesses are a strong part of the Tasmanian community, representing over 155 businesses throughout the State.

These pharmacy businesses play an important role in our lives. Together with the General Practitioner they are usually the first point of call for health care services and advice. Often open long hours they practically help us restore and improve our health. Pharmacies do this through supplying medicines, advice, providing flu vaccinations and working with their medical colleagues to deliver the best possible health care for their clients.

The *Pharmacy Control Amendment Bill 2016* follows a review of the *Pharmacy Control Act 2001* and improves the regulatory provisions to facilitate efficient regulation of the standards and ownership of pharmacy business premises and related issues.

The *Pharmacy Control Act 2001* was extensively revised and commenced in its current form in 2011. Prior to 2011, the Act provided for the registration of pharmacists as well as business premises. Pharmacists are now regulated under the Health Practitioner National Registration and Accreditation Scheme, in which Tasmania participates.

The Act as amended in 2011 now supports a safe pharmacy system for the community through the application of a regulatory framework for pharmacy premises.

As would be expected, the first five years of operation after such extensive amendments have identified legislative and operational issues where amendments can improve the regulatory model. The Tasmanian Pharmacy Authority, as regulator, has had the benefit of Crown Law advice in applying the Act and identifying areas to Government where amendments should be considered.

The Bill was then prepared collaboratively with the Tasmanian Pharmacy Authority, Crown Law and the Government to progress the Government's agenda to modernise the regulation of the pharmacy industry.

The Bill has a wide range of amendments, many of a technical nature, to improve the operation of the Act and remove legislative ambiguities.

For example, the Bill includes amendments for:

- Clarifying the meaning of "pharmacy business" to ensure relevant businesses are captured.

- Expanding the scope of Guidelines the Tasmanian Pharmacy Authority can issue. These now include anything relevant to the registration or registration renewal of pharmacy business premises and any other matters under the Act. It will result in pharmacy businesses being provided additional practical support to meet their regulatory requirements.
- Making it clear that the Authority, following an inspection of the pharmacy business premises, can direct specified works or actions to be carried out.
- Updates the definition of “close relative” to allow relatives, in the current understanding of that term for today’s families, to hold an interest in a pharmacy business as provided for under Part 5 of the Act.
- Improving eligibility requirements and making it clear that pharmacy businesses can be owned by unit holders in a unit trust who are trustees of another trust, provided the trust structures comply with the eligibility requirements of those holding in an interest in a pharmacy business. This expansion reflects a commercial business practice that is fairly common. The Bill also clarifies offences and makes clear that the pharmacy ownership limitations also apply to beneficiaries and shareholders of trusts.
- Continuing the Government’s legislative updates to provide gender-neutral language where appropriate.
- Ensuring the Tasmanian Pharmacy Authority can provide effective regulatory oversight in respect to the registration requirements of pharmacy business premises regarding the application and renewal process.

The Bill also inserts a new division in relation to alterations to a pharmacy business premises. This ensures appropriate standards are maintained by providing that alterations to a pharmacy business premises are to be approved by the Tasmanian Pharmacy Authority.

The Government developed these amendments with the support of the Tasmanian Pharmacy Authority as regulator, and consulted on the proposals with the Tasmanian branch of the Pharmacy Guild of Australia and the Pharmaceutical Society of Australia.

Madam Speaker, this Bill will result in simpler and clearer regulation of pharmacy businesses and pharmacy business premises. It will allow pharmacists to structure their businesses using common commercial practices. Better regulation leads to better outcomes for pharmacists and the community.

Madam Speaker, I commend this Bill to the House.