

1989

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

NATIONAL HEALTH AMENDMENT BILL (NO 2) 1989

EXPLANATORY MEMORANDUM

(Circulated by authority of the Honourable Mr Peter Staples MP,
Minister for Housing and Aged Care.)

NATIONAL HEALTH AMENDMENT BILL (No 2) 1989

GENERAL OUTLINE

The purpose of this Bill is to give effect to the Government's decision to expand the membership of the Pharmaceutical Benefits Remuneration Tribunal by the addition of two new members, who will be appointed by the Minister.

In addition the National Health Act 1953 is to be amended to require that the Chairperson and at least two other members will constitute the Tribunal.

FINANCIAL IMPACT STATEMENT

These provisions will have very limited financial impact.

NATIONAL HEALTH AMENDMENT BILL (No 2) 1989NOTES ON CLAUSESClause 1 : Short Title

This clause provides that the amendment Act may be cited as the National Health Amendment Act (No 2) 1989. This clause also provides that the "Principal Act" means the National Health Act 1953.

Clause 2 : Commencement

This clause provides that the amendment Act will come into operation on receipt of Royal Assent.

Clause 3 : Establishment of Pharmaceutical Benefits Remuneration Tribunal

This clause amends paragraph 98A(2)(b) of the Principal Act by increasing the number of additional members the Minister can appoint to the Pharmaceutical Benefits Remuneration Tribunal from two at present to a total of four.

The clause also stipulates that one of these additional members to be appointed by the Minister must have been engaged, in the past, in community pharmacy and that the appointment of this person will only be made after consultation with the Pharmacy Guild of Australia.

Clause 4 : Constitution of the Tribunal

This clause provides that the Tribunal is to be constituted by the Chairperson and at least two additional members.

The new sub section 98BB (1A) is a machinery provision allowing the Chairperson to give directions as to the constitution of the Tribunal.

Clause 5 : Procedure of Tribunal

This is a consequential amendment following from the amendment at clause 4.

Clause 6 : Transitional Provisions

This clause provides for the continuation of inquiries instituted by the Tribunal prior to the the introduction of these amendments to the Principal Act.