

LEGISLATIVE ASSEMBLY

PHARMACY PRACTICE BILL

(Amendments and new Clause to be moved by Ms Pike)

1. Clause 2, line 21, omit "147" and insert "140, 147, 148".
2. Clause 3, page 5, line 16, after "director" insert ", member".
3. Clause 23, line 10, omit "any address from where" and insert "the address recorded on the Register of Pharmacists from which".
4. Clause 25, page 36, line 17, after "director" insert ", member".

NEW CLAUSE

5. Clause 146, page 132, line 23, after this clause insert—
  - "AA. Cap on growth of pharmacy ownership for friendly society type companies**
  - (1) In this section, a reference to—
    - (a) "Assent date" is a reference to the day on which this Act receives the Royal Assent;
    - (b) "own", in relation to a pharmacy business, includes a reference to having a proprietary interest in the pharmacy business.
  - (2) This section only applies—
    - (a) during the period commencing on the day on which section 141 comes into operation and ending at the end of the day that is the fourth anniversary of the Assent date ("the applicable period"); and
    - (b) to a pharmacy business if the business is carried on at premises approved by the old Board before the commencement of section 141 or approved by the new Board on or after that date.
  - (3) A company referred to in section 25(1)(c), (d) or (e) must not during the applicable period acquire ownership of any pharmacy business, except in accordance with this section.
  - (4) Sub-section (3) does not apply to a company that—
    - (a) immediately before the Assent date, did not own a pharmacy business or owned less than 6 pharmacy businesses and, after that date, acquired ownership of any pharmacy business so that the total number of pharmacy businesses owned by the company at any one time in the applicable period does not exceed 6; or

- (b) immediately before the Assent date, owned 6 or more pharmacy businesses and after the Assent date, acquired ownership of any additional pharmacy business so that the total number of pharmacy businesses owned by the company at any one time in the applicable period does not exceed 30 % more than the number of pharmacy businesses that the company owned immediately before the Assent date.
- (5) Sub-section (3) does not apply to a company referred to in section 25(1)(e) that was formed by amalgamation on or after the Assent date if the number of pharmacy businesses the company owns at any one time during the applicable period does not exceed the total of the number of pharmacy businesses referred to in paragraphs (a) and (b) that were owned individually by each of the companies that were amalgamated to form the company—
  - (a) in the case of a company that formed part of the amalgamation and, immediately before the Assent date, did not own a pharmacy business or owned less than 6 pharmacy businesses, 6 pharmacy businesses; and
  - (b) in the case of any other company that formed part of the amalgamation, 30 % more than the number of pharmacy businesses that the company owned immediately before the Assent date.
- (6) For the purposes of this section, the number of pharmacy businesses owned by a company referred to in section 25(1)(c) includes any pharmacy business owned by a wholly owned subsidiary of that company if the subsidiary was acquired or incorporated on or after the Assent date.
- (7) For the purposes of calculating the total number of pharmacy businesses owned by a company under sub-section (4)(b) or (5), the total number of pharmacy businesses may be rounded up to the next whole number.
- (8) Despite sub-section (2)(a), the applicable period for a company referred to in section 146(2) that complies with section 25(1)(c), (d) or (e) within 12 months after the date on which section 141 comes into operation is the period commencing on the day on which the company complies with those requirements and ending at the end of the day that is the fourth anniversary of the Assent date."