

Health Legislation Amendment Bill (No. 3) 2025

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SUBMISSION

Parliamentary Committees

Health, Environment and Innovation Committee

Inquiry into Health Legislation Amendment Bill

(No.3) 2025

Date	3 November 2025
Contact	Chris Owen Branch President The Pharmacy Guild of Australia, Queensland



GUILD RESPONSE

The Pharmacy Guild of Australia, Queensland (the Guild) and its members, are very pleased to see that the *Pharmacy Business Ownership Act 2024* (the Act) has now been implemented in full (1 November 2025).

With this final piece of the puzzle falling into place, all powers related to regulating pharmacy businesses in Queensland have transitioned over to the Queensland Pharmacy Business Ownership Council (the Council). The establishment of the Council and transfer of power has been highly anticipated by the community pharmacy sector, and more closely aligns Queensland pharmacy business ownership regulation with that of other states and territories.

The Guild applauds the Queensland Government on its proactive approach in identifying and acknowledging the public importance of the position of members of the Council by proposing measures to ensure that the Government can remove office holders where confidence has been lost in their position.

The Guild fully supports the proposed amendments which are intended to facilitate without cause removal of office holders.

Related Issues Requiring Further Revision

1. Membership of the Council – majority of members must be licensed pharmacy business owners

The Guild believes that the amendments proposed as part of this Amendment Bill provide an ideal opportunity for the Committee to also review section 150 of the Act as it relates to the minimum number of pharmacy business owners who must be appointed to the Council.

The Guild has previously submitted that, as the role of the Council is to effectively enforce the legislation and to ensure compliant operation of community pharmacy businesses, it should be mandatory for the Council to have a majority of members with practical ownership experience in the operation of a pharmacy business, in addition to other subject matter experts.

As it is currently written, pharmacy business owners can be outnumbered on the Council by members qualified in any of the other areas listed in section 150(3)(b). This would result in unbalanced representation, lack of industry experience, and a Council without a united vision. While the majority of members of the current Council are from a community pharmacy ownership background, this may not always be the case and the Guild believes that it is important for it to perform its proper functions.



In all other jurisdictions, it is written into the relevant legislation that pharmacists must represent the majority of the membership of the respective council.

Please see [Attachment 1](#) for a summary of the councils (or equivalent) around Australia.

Recommendation

The Guild recommends amending section 150(4) of the Act to increase the number of persons appointed to the Council who must be individuals who own a licensed pharmacy business in order to represent the majority of members.

2. Membership of the Council – the Chair must be a licensed pharmacy business owner

In all but two other jurisdictions in Australia, it is also a requirement that the chair (and oftentimes the deputy chair) is a registered pharmacist. Besides Queensland, only in Western Australia and Tasmania is it not a requirement that the chair is a pharmacist. However, it must also be noted that in these states the majority of members are pharmacists and the relevant authority or board is relatively small, meaning the pharmacist members cannot be outnumbered.

Please see [Attachment 1](#) for a summary of the councils (or equivalent) around Australia.

Recommendation

The Guild recommends amending section 154(1) of the Act to include wording that the chairperson (and deputy chairperson) appointed by the Minister must be *pharmacist* Council members.

CONCLUSION

The Guild supports the amendments proposed in the *Health Legislation Amendment Bill (No.3) 2025* as they relate to the *Pharmacy Business Ownership Act 2024*. We also believe that this presents an ideal opportunity to review the sections that relate to appointing members to the Council to better align with the rest of Australia and ensure that the Council is empowered, by legislation, to best execute its functions to regulate pharmacy business ownership in Queensland.



Attachment 1 - Composition of Pharmacy Councils and Authorities in Australia

	Number of Members	Majority pharmacists	Chair must be a pharmacist	Composition of Council/Authority
Queensland Pharmacy Business Ownership Council	5 (at least)	No ¹	No The Minister may appoint— (a) a council member to be the chairperson of the council; and (b) another council member to be the deputy chairperson of the council.	(3) The Minister may recommend a person for appointment as a council member only if— (a) the person is— (i) an individual who owns a licensed pharmacy business; or (ii) a director of a corporation that owns a licensed pharmacy business; or (iii) a practising pharmacist who is an employee of a licensed pharmacy business; or (b) the person has qualifications or experience in 1 or more of the following areas— (i) accounting; (ii) business; (iii) financial management; (iv) law; (v) carrying on a pharmacy business; (vi) another area that— (A) in the Minister's opinion, qualifies the person to represent consumers of pharmacy services; or (B) the Minister considers appropriate or beneficial to the performance of the council's functions. (4) The council must consist of at least— (a) 1 person mentioned in subsection (3)(a)(i); and (b) 1 person mentioned in subsection (3)(a)(iii).
Pharmacy Council of New South Wales	10	Yes ²	Yes ³ Of the members of a Council — one who is registered in the health profession for which the Council is established must be appointed as President of the Council	The Council comprises 10 members 5 of whom are directly appointed by the Minister. These five members comprise a pharmacist from academia/education of the profession, a hospital pharmacist, 2 lay members and a legal member. The other five members are pharmacists directly elected by their peers. Members are independent and do not represent any agency or organisation.
Victorian Pharmacy Authority	5	Yes ⁴	Yes ⁵ The Minister may only recommend a member who is a registered pharmacist for appointment to the office of Chairperson or Deputy Chairperson, unless the Minister considers that it is necessary for	The Authority consists of members appointed by the Governor in Council on the nomination of the Minister. Three must be registered pharmacists, one must be an Australian lawyer and one must be a person who is not a registered pharmacist.

¹ <https://www.legislation.qld.gov.au/view/html/current/act-2024-009#pt.9-div.3>

² <https://www.pharmacycouncil.nsw.gov.au/pharmacy-council-nsw-%E2%80%93-93-role-regulation>

³ Health Practitioner Regulation National Law (NSW) (as applied in NSW), [clause 10\(1\)\(a\)](#)

⁴ <https://www.pharmacy.vic.gov.au/index.php?view=about>

⁵ <https://content.legislation.vic.gov.au/sites/default/files/2022-04/10-39aa009%20authorised.pdf>



			the good operation of the Authority to recommend a member who is not a registered pharmacist.	
Tasmanian Pharmacy Authority	3	Yes ⁶	No ⁶	The Authority consists of: (a) two registered pharmacists nominated by the Minister representing the professional interests of pharmacists; and (b) a non-pharmacist, nominated by the Minister representing the interests of the consumers
Pharmacy Regulation Authority South Australia	5	Yes ⁷	Yes ⁷ The Minister must, after consultation with the Authority, appoint a member who is a pharmacist (the presiding member) to preside at meetings of the Authority and another member who is a pharmacist (the deputy presiding member) to preside at meetings of the Authority in the absence of the presiding member.	(1) The Authority consists of 5 members appointed by the Governor on the nomination of the Minister of whom— (a) 1 will be an officer of the Department who has responsibility in relation to the administration of pharmacy services; and (b) 1 will be selected from a panel of 3 pharmacists nominated by The Pharmacy Guild of Australia (SA Branch); and (c) 1 will be selected from a panel of 3 pharmacists nominated by the Pharmaceutical Society of Australia (South Australian Branch) Incorporated; and (d) 1 will be selected from a panel of 3 pharmacists involved in the operation of pharmacies in South Australia, nominated by the Australian Friendly Societies Pharmacies Association; and (e) 1 will be a person who, in the opinion of the Minister, is qualified by reason of their expertise and experience to represent the interests of the public.
Pharmacy Registration Board of Western Australia	4	Yes ⁸	No (but is in practice) ⁸ The presiding member and the deputy presiding member of the Board are to be elected by the Board from amongst its members.	5. Membership of Board (1) The Board consists of 4 members appointed by the Minister, of whom — (a) 3 are to be pharmacists; and (b) one is to be a person who has knowledge of and experience in representing the interests of consumers. (2) Each member of the Board is to be a natural person.
Northern Territory Pharmacy Premises Committee	4	Yes ⁹	Yes ⁹ The Pharmacy Committee must elect one of its members who is a pharmacist to be the Chairperson of the Committee.	The Pharmacy Premises Committee has four members: three pharmacists to assist the committee in performing its functions and one non-pharmacist to represent the interests of patients and consumers
Australian Capital Territory – Pharmaceutical Services	N/A	N/A	N/A	

⁶ <https://www.pharmacyauthority.tas.gov.au/about/>

⁷ [https://www.legislation.sa.gov.au/_legislation/lz/c/a/health%20practitioner%20regulation%20national%20law%20\(south%20australia\)%20act%202010/2018.07.31/2010.5.auth.pdf](https://www.legislation.sa.gov.au/_legislation/lz/c/a/health%20practitioner%20regulation%20national%20law%20(south%20australia)%20act%202010/2018.07.31/2010.5.auth.pdf)

⁸ [https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_48837.pdf/\\$FILE/Pharmacy%20Act%202010%20-%20%5B01-c0-00%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_48837.pdf/$FILE/Pharmacy%20Act%202010%20-%20%5B01-c0-00%5D.pdf?OpenElement)

⁹ <https://legislation.nt.gov.au/en/legislation/health-practitioners-act-2004>