Speech By

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MEMBER FOR LYTTON

Record of Proceedings, 17 September 2019

MEDICINES AND POISONS BILL

THERAPEUTIC GOODS BILL

Ms PEASE (Lytton—ALP) (12.13 pm): I rise in this cognate debate to speak in support of the two bills before us, the Medicines and Poisons Bill 2019 and the Therapeutic Goods Bill 2019. May I begin by acknowledging the great work of all of the members of the committee; not like the member for Moggill who plays political games by only acknowledging the LNP members because apparently the other members did not contribute anything: they did not give up their time to attend those meetings, they did not go away travelling; it was only the LNP that contributed! I acknowledge all members of the committee because I know, and every other committee member here knows, that each and every one of them works hard on committees and we should all be acknowledged, not just certain members, although I believe some members do more—and they are probably on this side of the House.

A new regulatory framework is needed to modernise and streamline the regulation of medicines and poisons, ensuring the requirements are easier for industry and the community to understand and apply in practice. Additionally, a new regulatory framework should be outcomes focused and enhance public safety. Medicines and poisons in Queensland are currently regulated by the Health Act 1937, Health (Drugs and Poisons) Regulation 1996 and the Health Regulation 1996.

The Health Act is one of the oldest acts on the statute book and the current framework is almost entirely contained in subordinate legislation or regulations. The Health (Drugs and Poisons) Regulation 1996 regulates the possession, supply, administration and other activities related to the medicines and poisons in the Commonwealth Standard for the Uniform Scheduling of Medicines and Poisons, the Poisons Standard. The Health Regulation 1996 provides controls for manufacturing, advertising and labelling substances and also sets out requirements for dispensing substances at a pharmacy. In addition, the Pest Management Act 2001 and the Pest Management Regulation 2003 regulates access to and the use of poisons and provides for licensing and competency requirements for people who undertake pest management activities.

The Medicines and Poisons Bill will repeal and replace the current legislation with a new regulatory framework, which consists of the Medicines and Poisons Bill 2019, the Therapeutic Goods Bill 2019, Draft Medicines and Poisons (Medicines) Regulation, Draft Medicines and Poisons (Pest Management, Poisons and Other Regulated Substances) Regulation and Draft Therapeutic Goods Regulation. The primary objective of this bill is to ensure that any activity performed with a substance must be performed in an authorised manner. The purpose of the new framework is to ensure that medicines and poisons are made, sold, used and disposed of in an appropriate, effective and safe way to ensure the health risks arising from the use of the substances are appropriately managed and further to ensure persons who are authorised to carry out activities using the substance have the necessary competencies to do so safely.

The bill regulates all substances listed as medicines and poisons in the Commonwealth Standard for the Uniform Scheduling of Medicines and Poisons and this standard classifies substances into schedules from schedule 2 to schedule 10 based on risk and the level of regulatory control required. This adopts the classification into schedules which is in accordance with the Commonwealth Poisons Standard therefore promoting national consistency for stakeholders and industry.

The bill also regulates pesticides and fumigants registered or permitted for use by the Australian Pesticides and Veterinary Medicines Authority. Under the framework established by the bill, an individual may undertake a regulatory activity with a regulated substance if they hold an authority under the bill, such as a manufacturing licence, wholesale licence, retail licence, pest management licence, prescribing approval or a general approval. The bill will authorise a regulation to prescribe classes of general approval.

The main purpose of the bill will be achieved by identifying practical activities and substances to be controlled; authorising classes of persons to use these substances in controlled ways for particular purposes; providing a scheme to authorise additional activities with a substance under approval or licences and requiring persons authorised to use the substances to have the necessary competencies and be accountable for their safe and effective use; requiring that particular things be done to ensure that the safety, quality and appropriate use and disposal of the substances at all stages from manufacture to supply to the consumer and final disposal as waste; and further providing for compliance with this legislation to be monitored and enforced.

Therapeutic goods comprise a diverse range of products, including those that treat serious conditions such as prescription medicines, surgical implants, to everyday products such as vitamins, tablets and sunscreens. Interestingly, in Queensland, responsibility for the regulation of therapeutic goods is shared between state and Commonwealth governments. Currently, all corporations and entities in Queensland that trade therapeutic goods interstate or overseas are regulated by the Commonwealth Therapeutic Goods Act 1989. However, due to constitutional limitations, the act does not apply to manufacturers that trade only in Queensland and this includes non-corporate entities such as partnerships, trusts or sole traders. As a result, the quality, safety, efficacy and timely availability of these therapeutic goods is not regulated. The purpose of the Therapeutic Goods Bill 2019 is to adopt the Commonwealth Therapeutic Goods Act 1989 as Queensland law and this will enhance national consistency in the regulation of therapeutic goods, reduce regulatory burden and ensure that appropriate safeguards are implemented to protect the health and safety of the community.

These bills are part of a package of legislative proposals that seek to reform and modernise the regulation of medicines and poisons in Queensland. These bills support the medicines and poisons framework by improving the regulation of medicine safety and quality assurance, and enhancing national uniformity in the regulation of therapeutic goods. Again I acknowledge the great work of the entire committee and the committee secretariat. I commend the bills to the House.