




Speech By  
**Andrew Powell**

**MEMBER FOR GLASS HOUSE**

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## **PHARMACY BUSINESS OWNERSHIP BILL**

 **Mr POWELL** (Glass House—LNP) (3.00 pm): I rise to address the Pharmacy Business Ownership Bill 2023. Mr Deputy Speaker, I think you will be hearing a lot this afternoon about how important we all in this House consider our pharmacies, pharmacists and their staff to be. Indeed, community pharmacy is the bedrock of frontline health services. That is certainly the case in my communities, and I would anticipate it is the same, regardless of whether you live here in Brisbane or in the far west and far north. They, alongside our general practitioners, our community nurses, our paramedics and our emergency department staff, are often the first port of call and the first profession that we reach out to for medical advice and assistance in our time of need.

In the case of the pharmacist, probably alongside your local general practitioner if you are lucky to have one who has been there for a number of years, they are the ones that you maintain the most lasting connection with. Therefore, as I said, they are very much the bedrock of medical and health services in our communities and they often become a focal point for communities. It is certainly the case in my part of the world.

The Pharmacy Business Ownership Act 2021 has now been in place for well over 20 years. It was overdue for a significant overhaul, despite amendments during the 20 years of its operation. This ownership bill repeals the 2001 act and replaces it with a modern and effective framework for regulation of the ownership of pharmacy businesses. I will return to some of the particular aspects that are being implemented through this bill, but it is important to note that this has been quite some time in the making. This bill will finally implement the government response to several recommendations of a 2018 report of the then Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee's report No. 12, *Inquiry into the establishment of a pharmacy council and transfer of pharmacy ownership in Queensland*.

As I said, that kicked off in May 2018. The committee accepted and published 210 written submissions. They obtained a report from the Queensland Audit Office about the administration of transfers of pharmacy ownership. They obtained a report from the Queensland Productivity Commission on the cost-benefit analysis of establishing a pharmacy council in Queensland. They held public hearings right across the state, including in places like Toowoomba, Cairns and Townsville. They met with equivalents in other states, particularly the Victorian Pharmacy Authority. They tabled their report on 16 October 2018 and made 11 recommendations. It was not until April the next year that the government response to the committee report was tabled in the Legislative Assembly. All of the recommendations were accepted in full or in principle, but it was acknowledged that a number of them—recommendations 6, 8, 9, 10 and 11—would require legislative amendment. In essence, that is what we are achieving here today.

This bill went off to the Cost of Living and Economics Committee for consideration and review and it recommended that the bill be passed. There are a number of significant aspects to this bill that I think are worth noting. The policy objectives of the bill include to—

- clarify the requirements in the 2001 Act relating to who may own or hold an interest in a pharmacy business, and retain the limits on the number of pharmacy businesses that a person may own or hold an interest in;

It will, as that committee report recommended, finally—

- establish a regulatory council as a statutory body to administer the Act and transfer regulatory functions from Queensland Health to the council;
- establish a licensing framework for the ownership of and interests in pharmacy businesses;
- prohibit the council from issuing a licence if the pharmacy business is located in a supermarket;
- prohibit third parties from exercising inappropriate control over how pharmacy business owners provide pharmacy services related to medicines and provide that clauses in a contract or agreement that allow a third party to exercise inappropriate control are void;

There are a number of other aspects that this legislation enshrines around the operation of that council.

There was significant support for this legislation, not only through that original committee process but also through the subsequent committee process. There were a number of concerns raised, and I think it is important that we acknowledge those and keep an eye on how this legislation, when implemented, addresses those. A number of stakeholders—AMA Queensland, RACGP, Queensland Aboriginal and Islander Health Council and the federal Productivity Commission—did raise concerns around the anti-competitiveness that may come as a consequence of the regulatory framework in this bill. It is important to ensure we look at competitiveness when it comes to any legislation because, at the end of the day, a lack of competitiveness leads to higher costs for our Queensland constituents. As I said, though, you need to weigh that up with the importance of our pharmacies to our communities. I believe, as does the LNP, that the balance is accurate in this legislation, but I think it is worth keeping an eye on whether, as a result of this legislation, those anti-competitive concerns come to fruition.

A number of other pharmacy owners also expressed concern around the undue compliance burdens on their businesses. This is particularly an issue for small and family business owners. As I have said repeatedly in this House, the electorate of Glass House would not exist if it were not for family and small businesses. They are the lifeblood of each and every one of the 26-plus communities in the electorate of Glass House. They provide the services, they provide the essential needs, they provide the employment to each of our communities and without them we would be lost. I always take a keen interest in any piece of legislation that increases regulatory burden on small and family businesses.

I want to reassure those who raised that concern that, should the LNP be fortunate to be able to form government after the 26 October election, we have already committed to restoring the Queensland productivity commission that Labor abolished. A key part of their work will be reducing the regulatory burden on Queenslanders, especially small and family businesses. I hope we are given that opportunity. I hope that we are able to bring back the Queensland productivity commission. Like previous LNP governments, I know that a focus on red-tape reduction will have huge benefits for small and family businesses in the electorate of Glass House and, indeed, across the entire state.

As I said at the outset, I want to be on the record as supporting this legislation because I support the work of the pharmacists, the pharmacy owners and their staff across each and every community I have the privilege of representing—long may their service continue. I genuinely thank them on behalf of the communities I represent.