



Speech By
David Lee

MEMBER FOR HERVEY BAY

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HEALTH LEGISLATION AMENDMENT BILL (NO. 2)

Second Reading

 **Mr LEE** (Hervey Bay—LNP) (4.35 pm): I rise to speak to the Health Legislation Amendment Bill (No. 2) 2025. This omnibus bill makes changes to four pieces of health related legislation. It is a bill to amend the Pharmacy Business Ownership Act 2024, the Public Health Act 2005, the Public Health Regulation 2018, the Queensland Mental Health Commission Act 2013 and the Radiation Safety Act 1999. I commend the Minister for Health and Ambulance Services for his diligent preparation of this bill. It is great to have a Minister for Health and Ambulance Services who is across the detail in our healthcare system.

This bill does not provide for an exhaustive definition of 'threadbare', but a great example is the member for Miller's speech earlier today. Clearly, the member for Miller is out of his depth. A rambling, repetitive and monotonous speech is no substitute for a well-considered and thoughtful response to this bill. I congratulate my fellow committee members and the secretariat for their input into the preparation of this bill.

The key objectives of the bill are to: clarify operational requirements in relation to the regulation of pharmacy business ownership in Queensland; support the transition of the state-based notifiable lung disease register to the National Occupational Respiratory Disease Registry; enable equipment and materials to be left at places to collect samples of designated pests, including mosquitoes, for detecting the presence of Japanese encephalitis virus, JEV; clarify that the minister can appoint an acting mental health commissioner to the Queensland Mental Health Commission where a mental health commissioner's term has ended; and, finally, clarify that any person can apply for and hold an approval to dispose of radioactive material.

This bill provides a new legislative framework for the regulation of pharmacy ownership. It provides a contemporary structure for the regulation of the ownership of pharmacy businesses to provide safe and competent care and promote public confidence in the pharmacy profession. According to the Queensland register of pharmacy businesses, there were 1,327 registered pharmacies in Queensland, excluding hospital-based pharmacies. I want to give a big shout-out to the nearly 20 Hervey Bay registered pharmacies.

This bill will amend the Pharmacy Business Ownership Act 2024 and address significant issues, including a review of council decisions and beneficial holdings under a trust. The Pharmacy Business Ownership Council is responsible for considering applications under the new licensing framework. A council decision can only be externally reviewed after it has first been subject to an internal review. The internal decision must be undertaken by a person who did not make the original decision and who holds a more senior position than the person who made that original decision. An internal review is not possible in circumstances where the council has made a collective decision. This is because there is no more senior decision-maker than the council. Thus, an external review process is available through the Queensland Civil and Administrative Tribunal.

This bill furthermore provides for beneficial holdings under a trust. The policy intent is that, subject to limited exceptions such as friendly societies, ownership and interests in pharmacy businesses should be limited to practising pharmacists and their close adult relatives. The relevant change includes that only a registered practising pharmacist and their close adult relatives may hold a material interest in a pharmacy business. A close adult relative means a spouse or a child of the pharmacist who is an adult.

There are two amendments to the Public Health Act 2005. This bill will amend the Public Health Act to provide a new section 43(5) which provides that authorised persons can leave equipment and materials at a place for a reasonable period to obtain the necessary samples to detect Japanese encephalitis virus. Mosquito surveillance is a key component as mosquitoes are the primary vectors for JEV transmission. This involves monitoring mosquito populations, identifying mosquito species and testing them for the presence of the virus. Surveillance systems help detect JEV cases early, allowing for timely public health interventions and preventing potential outbreaks.

Prior to 2022, human infection with JEV had only been reported in the north of Australia, Queensland's Cape York and the Torres Strait Islands, with the last locally acquired case reported in Far North Queensland in 1998. The 2022 JEV outbreak was an unprecedented one because from February to December 2022 there were concurrent detections of JEV in Queensland, New South Wales, Victoria, South Australia and the Northern Territory. These detections occurred in commercial piggeries, wild pigs, mosquitoes and humans. On 4 March 2022 Australia's Chief Medical Officer declared the JEV outbreak a communicable disease incident of national significance. This occurs when a communicable disease or condition has potential to severely threaten human health and safety.

The Queensland Mental Health Commission Act provides for the establishment of the Queensland Mental Health Commission which is led by the Mental Health Commissioner. The object of this act is for the Queensland Mental Health Commission to drive ongoing reform towards a more integrated, evidence-based, recovery oriented mental health and substance misuse system. The Mental Health Commissioner is appointed by the Governor in Council on the recommendation of the minister for a term of up to five years. Section 23 of the act provides for the minister to appoint a person to act as commissioner where there is a vacancy. However, the definition of 'vacancy' in section 21(1) is narrowly defined and does not encompass circumstances where a position becomes vacant when a commissioner's term has ended. To minimise the potential for disruption of the commission arising from a vacancy, this bill will amend the definition of 'vacancy' by providing a new section 21(1)(aa). The bill also will amend section 23 to establish a maximum term of six months for an acting commissioner's appointment, with the ability of the minister to provide a further six-month extension.

According to a 2021 Australian Bureau of Statistics report, 12.8 per cent of the Fraser Coast as a total proportion of the Fraser Coast population has a mental health condition compared to 8.8 per cent Australia-wide. This amendment to the Queensland Mental Health Commission Act is great news for Hervey Bay mental health clients because it will help push reform towards a more integrated, evidence-based, recovery-orientated mental health and substance misuse system.

The Radiation Safety Act provides the legislative framework for managing radiation materials. This act regulates the acquisition, possession, transport, relocation and disposal of radioactive material. This minor clarifying amendment to section 71 of the RSA ensures that any person, not just a licensee, may apply for or hold an approval to dispose of radioactive material. The RSA provides that it is an offence to dispose of radioactive material unless they hold an approval from Queensland Health. This amendment recognises that some people may inadvertently encounter radioactive material during renovations or cleaning up or when acquiring a new property and must be empowered to dispose of it in accordance with the legislation. I commend the Health Legislation Amendment Bill (No. 2) 2025 to the House.