

House of Representatives

Supplementary Order Paper

Tuesday, 2 July 2013

Medicines Amendment Bill

Proposed amendment

Hon Todd McClay, in Committee, to move the following amendment:

New clause 7A

After *clause 7* (after line 19 on page 9), insert:

7A Medicines Classification Committee

- (1) Section 9(3) is amended by repealing paragraphs (a) and (b) and substituting the following paragraphs:

“(a) 2 medical practitioners:

“(b) 2 pharmacists.”

- (2) Section 9 is amended by inserting the following subsection after subsection (3):

“(3A) Before the Minister appoints a member under **subsection (3)(a) or (b)**, the Minister must—

“(a) publish a notice that invites organisations and individuals to nominate persons for appointment under **subsection (3)(a) or (b)**; and

“(b) include in the notice an address or addresses to which nominations may be sent by a stated date; and

“(c) consider every nomination received by the stated date.”

- (3) Section 9(6) is repealed and the following subsections substituted:

“(6) If a member of the Committee dies, resigns, or is removed from office, the vacancy created must be filled in the manner in which the appointment to the vacant office was originally made.

“(6A) In the case of a vacancy in the office of a member appointed under **subsection 3(a) or (b)**, every person appointed in accordance with **subsection (6)** must be appointed for the

residue of the term for which the member's predecessor was appointed.

- “(6B) Despite **subsection (6)**, the replacement of any member appointed before the commencement of the Medicines Amendment Act **2011** must be in accordance with subsections (3), **(3A)**, and **(6A)**.”
- (4) Section 9(7) is amended by omitting “nominated member of the Committee” and substituting “member appointed under **subsection (3)(a) or (b)**”.
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Explanatory note

This Supplementary Order Paper amends the Medicines Amendment Bill. The amendment relates to the composition of the Medicines Classification Committee (the **committee**) under section 9(3) of the Medicines Act 1981. Currently, the committee must comprise 2 persons nominated by the New Zealand Medical Association, 2 persons nominated by the Pharmaceutical Society of New Zealand, and 2 officers from the Ministry of Health.

The amendment replaces—

- the requirement that there be 2 persons nominated by the New Zealand Medical Association with a requirement that there be 2 medical practitioners; and
- the requirement that there be 2 persons nominated by the Pharmaceutical Society of New Zealand with a requirement that there be 2 pharmacists.

The amendment also requires the Minister of Health to publish a notice inviting individuals and organisations to nominate candidates before the Minister appoints a medical practitioner or pharmacist as a member of the committee.
