

PHARMACY (AMENDMENT) BILL, 1984

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Pharmacy Act, 1964—

- (a) to specify the qualifications of a pharmacist who seeks appointment to the Pharmacy Board of New South Wales (“the Board”) as the country member of the Board (Schedule 1 (1));
- (b) to make further provision with respect to the term of office of members of the Board (Schedule 1 (2)); and
- (c) to provide for the appointment by the Governor, on the nomination of the Minister, of members to the Board where—
 - (i) an insufficient number of persons are nominated for election as members of the Board or an election of persons to be members of the Board otherwise fails; or
 - (ii) certain bodies entitled to nominate a person for appointment as a member of the Board fail to make a nomination,

(Schedule 1 (3)).

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PHARMACY (AMENDMENT) BILL, 1984

No. , 1984.

A BILL FOR

An Act to amend the Pharmacy Act, 1964, with respect to the appointment
of members to the Pharmacy Board of New South Wales.

Pharmacy (Amendment) 1984

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

5 **Short title.**

1. This Act may be cited as the "Pharmacy (Amendment) Act, 1984".

Amendment of Act No. 48, 1964.

2. The Pharmacy Act, 1964, is amended in the manner set forth in Schedule 1.

10 **Savings provision—existing members of the Pharmacy Board of New South Wales.**

3. A member of the Pharmacy Board of New South Wales who held office immediately before the date of assent to this Act (not being the member referred to in section 4 (2) (b) of the Pharmacy Act, 1964) shall, subject
15 to the Pharmacy Act, 1964, as amended by this Act, continue in office as such a member until the expiration of a period of 3 years from the date of the member's appointment.

SCHEDULE 1.

(Sec. 2.)

20 AMENDMENTS TO THE PHARMACY ACT, 1964.

(1) Section 4 (2) (aa)—

Omit the paragraph, insert instead:—

25 (aa) one shall be a pharmacist who is ordinarily resident in, and who practises pharmacy in, New South Wales (otherwise than in the County of Cumberland, the County of Northumberland or the City of Wollongong) and who shall be elected by pharmacists in the prescribed manner;

*Pharmacy (Amendment) 1984*SCHEDULE 1—*continued.*AMENDMENTS TO THE PHARMACY ACT, 1964—*continued.*

(2) Section 4 (3)—

Omit the subsection, insert instead:—

5 (3) Subject to this Act—

(a) a member of the Board, other than the member referred to in subsection (2) (b), who has been duly elected or nominated pursuant to subsection (2) shall hold office for a period of 3 years from the date of appointment; and

10 (b) a member of the Board, other than the member referred to in subsection (2) (b), who has been nominated pursuant to subsection (6) or (7) shall hold office for a period of 3 years from the date of appointment or, where, in the instrument of appointment of the member, a lesser period is specified as
15 the period for which the member shall hold office, for such lesser period as is so specified,

but is eligible (if otherwise qualified) for re-appointment.

(3) Section 4 (6), (7)—

After section 4 (5), insert:—

20 (6) To the extent that there is a failure to nominate a sufficient number of persons for the purposes of an election under subsection (2) (a) or (aa) or to the extent that such an election fails for any other reason, the Governor may appoint a person or persons, as the
25 case may require, eligible for election and nominated by the Minister, to be a member or members of the Board and the person or persons so nominated shall, on being appointed, be deemed to be a person or persons elected in the prescribed manner.

(7) Where, for the purposes of subsection (2) (c) or (d), a
30 nomination of a person for appointment as a member of the Board is not made within the time or in the manner specified by the Minister in a notice in writing given to the body entitled to make the

Pharmacy (Amendment) 1984

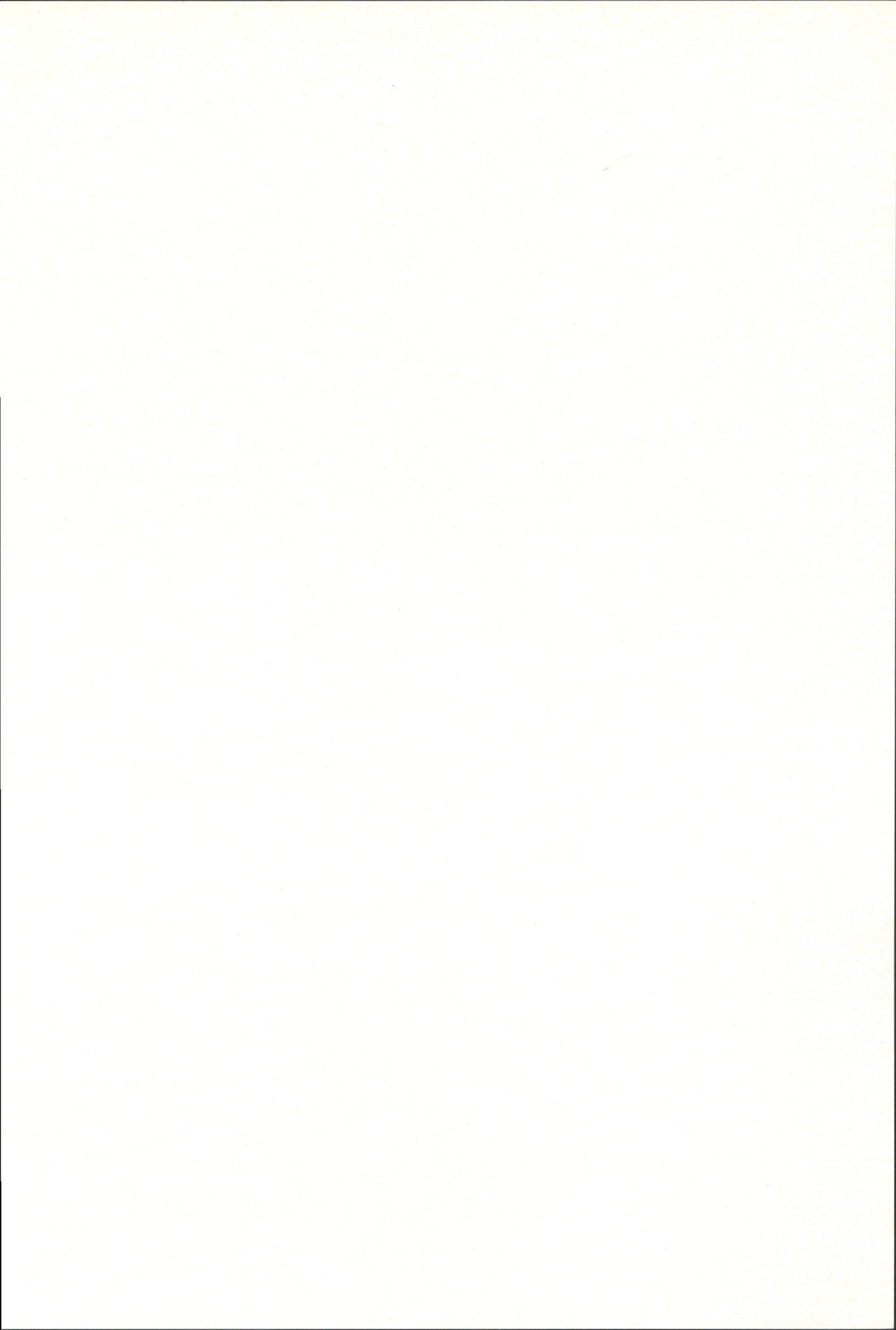
SCHEDULE 1—*continued.*

AMENDMENTS TO THE PHARMACY ACT, 1964—*continued.*

5 nomination, the Governor may appoint a person, nominated by the Minister, to be a member of the Board and the person so nominated shall, on being appointed, be deemed to be a person appointed on the nomination of the body entitled to make the nomination.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1984





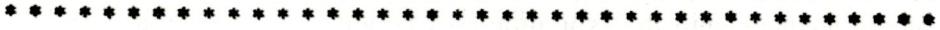
PHARMACY (AMENDMENT) ACT, 1984, No. 134

New South Wales



ANNO TRICESIMO TERTIO

ELIZABETHÆ II REGINÆ



Act No. 134, 1984.

An Act to amend the Pharmacy Act, 1964, with respect to the appointment of members to the Pharmacy Board of New South Wales. [Assented to, 4th December, 1984.]

Pharmacy (Amendment) 1984

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Pharmacy (Amendment) Act, 1984".

Amendment of Act No. 48, 1964.

2. The Pharmacy Act, 1964, is amended in the manner set forth in Schedule 1.

Savings provision—existing members of the Pharmacy Board of New South Wales.

3. A member of the Pharmacy Board of New South Wales who held office immediately before the date of assent to this Act (not being the member referred to in section 4 (2) (b) of the Pharmacy Act, 1964) shall, subject to the Pharmacy Act, 1964, as amended by this Act, continue in office as such a member until the expiration of a period of 3 years from the date of the member's appointment.

SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE PHARMACY ACT, 1964.

- (1) Section 4 (2) (aa)—

Omit the paragraph, insert instead:—

- (aa) one shall be a pharmacist who is ordinarily resident in, and who practises pharmacy in, New South Wales (otherwise than in the County of Cumberland, the County of Northumberland or the City of Wollongong) and who shall be elected by pharmacists in the prescribed manner;

*Pharmacy (Amendment) 1984*SCHEDULE 1—*continued.*AMENDMENTS TO THE PHARMACY ACT, 1964—*continued.*

(2) Section 4 (3)—

Omit the subsection, insert instead:—

(3) Subject to this Act—

- (a) a member of the Board, other than the member referred to in subsection (2) (b), who has been duly elected or nominated pursuant to subsection (2) shall hold office for a period of 3 years from the date of appointment; and
- (b) a member of the Board, other than the member referred to in subsection (2) (b), who has been nominated pursuant to subsection (6) or (7) shall hold office for a period of 3 years from the date of appointment or, where, in the instrument of appointment of the member, a lesser period is specified as the period for which the member shall hold office, for such lesser period as is so specified,

but is eligible (if otherwise qualified) for re-appointment.

(3) Section 4 (6), (7)—

After section 4 (5), insert:—

(6) To the extent that there is a failure to nominate a sufficient number of persons for the purposes of an election under subsection (2) (a) or (aa) or to the extent that such an election fails for any other reason, the Governor may appoint a person or persons, as the case may require, eligible for election and nominated by the Minister, to be a member or members of the Board and the person or persons so nominated shall, on being appointed, be deemed to be a person or persons elected in the prescribed manner.

(7) Where, for the purposes of subsection (2) (c) or (d), a nomination of a person for appointment as a member of the Board is not made within the time or in the manner specified by the Minister in a notice in writing given to the body entitled to make the

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PHARMACY ACT, 1964—*continued.*

nomination, the Governor may appoint a person, nominated by the Minister, to be a member of the Board and the person so nominated shall, on being appointed, be deemed to be a person appointed on the nomination of the body entitled to make the nomination.

In the name and on behalf of Her Majesty I assent to this Act.

J. A. ROWLAND,
Governor.

*Government House,
Sydney, 4th December, 1984.*

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1985