

Queensland



ANNO VICESIMO SEPTIMO

ELIZABETHAE SECUNDAE REGINAE

No. 38 of 1978

**An Act to amend the Pharmacy Act 1976 in a certain particular**

[ASSENTED TO 8TH JUNE, 1978]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

**1. Short title and citation.** (1) This Act may be cited as the *Pharmacy Act Amendment Act 1978*.

(2) In this Act the *Pharmacy Act 1976* is referred to as the Principal Act.

(3) The Principal Act as amended by this Act may be cited as the *Pharmacy Act 1976-1978*.

**2. Amendment of s. 30.** Section 30 of the Principal Act is amended by—

(a) omitting subsection (3) and substituting the following subsection:—

“(3) (a) The provisions of subsection (1) and (2) do not apply to a duly registered friendly society—

(i) in respect of each pharmacy in which it carries on a practice of pharmacy at the date of commencement of this Act and continues to carry on that practice therein or in other premises approved by the Minister upon the recommendation of the Board in lieu of and within the locality of that pharmacy; or

- (ii) in respect of each pharmacy in which it carries on a pharmacy practice and the establishment of which the Minister has approved in accordance with subsection (7).

(b) The provisions of subsection (1) do not apply to a person or association of persons in respect of a pharmacy in which, at the date of commencement of this Act, that person or association carries on as owner or has a pecuniary interest, direct or indirect, in the practice of pharmacy only so long as—

- (i) no alteration is made in the ownership of the practice existing at the date of commencement of this Act;
- (ii) any change in the name under which the practice of pharmacy is carried on has the prior approval of the Board; and
- (iii) such practice is continued to be carried on in that pharmacy or another pharmacy approved by the Minister upon the recommendation of the Board in lieu of and within the locality of that pharmacy.

(c) A person or association of persons who, at the date of commencement of this Act carries on as owner or has a pecuniary interest, direct or indirect, in a practice of pharmacy in any pharmacy may continue to carry on as owner thereof or to have that pecuniary interest therein (or in another pharmacy approved by the Minister upon the recommendation of the Board in lieu of and within the locality of that pharmacy) but whilst that person or association of persons so continues to carry on as owner or have a pecuniary interest, direct or indirect, in the practice of pharmacy in four or more pharmacies that person shall not carry on as owner or have a pecuniary interest, direct or indirect, in any other pharmacy.”;

(b) inserting at the end thereof the following subsection:—

“(8) Where a person who, at the date of commencement of this Act, has a pecuniary interest direct or indirect in a practice of pharmacy in any pharmacy relinquishes his interest therein or disposes of his interest therein which interest so disposed is acquired by—

- (a) a person who holds a pecuniary interest direct or indirect in such practice; or
- (b) a person who does not as a result of such acquisition carry on as owner or otherwise have a pecuniary interest, direct or indirect in a practice or practices of pharmacy in more than four pharmacies,

then, for the purposes of subsection (3) (b) (i) such disposal and acquisition shall be deemed not to result in an alteration in the ownership of the practice.”.