

# Health Legislation Amendment Bill 2004

## Amendments agreed to during Consideration

### 1 **Clause 46—**

At page 76, line 26, ‘or step-child’—  
*omit.*

### 2 **Clause 46—**

At page 77, lines 5 to 8—  
*omit, insert—*

‘(b) a corporation whose directors and shareholders are all registrants; or

(ba) a corporation—

(i) whose directors and shareholders are a combination of registrants and relatives of the registrants; and

(ii) in which the majority of shares are held by registrants; and

(iii) in which only registrants hold voting shares; or’.

### 3 **Clause 46—**

At page 80, lines 13 to 22—  
*omit, insert—*

### **‘139H Restriction on number of pharmacy businesses in which a person may have beneficial interest**

‘(1) A registrant must not have a beneficial interest in more than 5 pharmacy businesses at the same time.

Maximum penalty—200 penalty units.

‘(2) For subsection (1), a registrant has a beneficial interest in a pharmacy business if the registrant—

- (a) owns the pharmacy business; or
- (b) is a director of, or shareholder in, a corporation that owns the pharmacy business.’.

**4 Clause 46—**

At page 80, after line 32—

*insert—*

**‘139I Certain arrangements about control of pharmacy business void**

‘A bill of sale, mortgage, lease, franchise, agency or other service or commercial arrangement for a pharmacy business is void to the extent it—

- (a) gives to a person, other than the owner of the business—
  - (i) the right to control in whole or part the way in which the business is carried on; or
  - (ii) the right to receive any consideration that varies according to the profits or takings of the business; or
- (b) requires goods or services for the business to be obtained from a stated person or body.’.