



## ANALYSIS

## Title

1. Short Title

2. Applications for consent of Pharmacy Authority

3. Restrictions on holding of interest in pharmacies

1975, No. 97

**An Act to amend the Pharmacy Act 1970**

[9 October 1975]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Pharmacy Amendment Act 1975, and shall be read together with and deemed part of the Pharmacy Act 1970 (hereinafter referred to as the principal Act).

**2. Applications for consent of Pharmacy Authority**—Section 36 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

“(2) On receiving an application under this section the Minister shall cause the application to be transmitted to the Pharmacy Authority, who shall give notice of the application to every person (other than the applicant) who, in his opinion, may be materially affected by the decision, specifying a period within which the person may notify the Pharmacy Authority in writing of his objection to the granting of consent to the application.

“(3) On the expiration of the period specified in accordance with subsection (2) of this section, or such further period as the Pharmacy Authority may allow, the Pharmacy Authority shall give notice to the applicant, and to each person to whom he gave notice of the application, of the date when and the place where the application will be considered:

“Provided that, if no objection to the granting of consent is received by the Pharmacy Authority, or if, in the opinion of the Pharmacy Authority, every objection that is received is frivolous or vexatious or otherwise without substance, the Pharmacy Authority may consider and determine the application without complying with this subsection, and in the absence of the applicant and the persons to whom notice of the application was sent.”

### **3. Restrictions on holding of interest in pharmacies—**

(1) Section 43 (3) of the principal Act is hereby amended—

(a) By inserting, after the words “purposes of”, the words “subsection (1) of”:

(b) By repealing the definition of the term “person”.

(2) Section 43 of the principal Act is hereby further amended by adding the following subsection:

“(5) For the purposes of this section, the term ‘person’ does not include a company, or any other body of persons (whether incorporated or unincorporated).”

(3) Section 45 (2) (b) of the principal Act is hereby amended by inserting, after the word “company”, the words “or other body of persons (whether incorporated or unincorporated)”.

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This Act is administered in the Department of Health.

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