

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]
House of Representatives, 11 February 1987.

Words inserted are shown in roman with a single rule before first line and after last line.

Hon. Dr Michael Bassett

MEDICINES AMENDMENT (NO. 2)

ANALYSIS

Title	
1. Short Title	3. Statements regarding persons dependent on prescription medicines or restricted medicines
2. Renewal of provisional consents	

A BILL INTITULED

An Act to amend the Medicines Act 1981

BE IT ENACTED by the Parliament of New Zealand as follows:

5 **1. Short Title**—This Act may be cited as the Medicines Amendment Act (No. 2) **1985**, and shall be read together with and deemed part of the Medicines Act 1981* (hereinafter referred to as the principal Act).

10 **2. Renewal of provisional consents**—(1) Section 23 (4) of the principal Act is hereby amended by omitting the word “subsection”, and substituting the words “**subsections (4A)** and”.

(2) Section 23 of the principal Act is hereby amended by inserting, after subsection (4), the following subsections:

15 “(4A) The Minister may, by notice in the *Gazette*, from time to time renew any provisional consent given under this section for a period not exceeding 2 years on any one occasion.

“(4B) Subsections (3) and (5) of this section shall apply to any renewal of a provisional consent given under **subsection (4A)** of this section as if it were a provisional consent given under subsection (1) of this section.”

*1981, No. 118
Amendment: 1985, No. 29

New

2A. Exemption for sale by wholesale of medicines that are not prescription, restricted, or pharmacy-only medicines—The principal Act is hereby amended by repealing section 34, and substituting the following section:

“34. Section 17 of this Act does not apply in respect of the sale by wholesale of a medicine that is not a prescription medicine or a restricted medicine or a pharmacy-only medicine.”

3. Statements regarding persons dependent on prescription medicines or restricted medicines—The principal Act is hereby amended by inserting, after section 49, the following section:

“49A. (1) If a Medical Officer of Health has reason to believe that any person is or is likely to become dependent on any prescription medicine or restricted medicine, the Medical Officer of Health may, for the purpose of preventing or restricting the supply of prescription medicines or restricted medicines to that person, or of assisting in the cure or mitigation or avoidance of the dependence of that person, publish statements relating to that person to all or any of the members of all or any of the classes of persons set out in **subsection (3)** of this section.

“(2) Every statement made under **subsection (1)** of this section shall be privileged unless the publication is proved to be made with malice.

“(3) The classes of persons referred to in **subsection (1)** of this section are as follows:

“(a) Members, officers, and employees of area health boards constituted under the Area Health Boards Act 1983:

“(b) Members, officers, and employees of Hospital Boards constituted under the Hospitals Act 1957:

“(c) Licensees and managers of private hospitals licensed under the Hospitals Act 1957:

“(d) Superintendents of penal institutions within the meaning of the Penal Institutions Act 1954:

“(e) Managers and superintendents of institutions within the meaning of the Alcoholism and Drug Addiction Act 1966:

“(f) Medical practitioners:

“(g) Dentists:

“(h) Members of the Police:

“(i) Persons who deal in prescription medicines or restricted medicines in the course of business.

“(4) Nothing in **subsection (1)** or **subsection (2)** of this section shall limit or affect any right or duty that a Medical Officer of Health may otherwise possess to publish a statement to any person.

“(5) Every person commits an offence against this Act who, except in the course of duty as a member of a class set out in **subsection (3)** of this section or as an officer or servant of the Crown, publishes any information obtained, whether by that person or any other person, from a statement made pursuant to **subsection (1)** of this section, or any comment on any such statement.”