

Medicines (Specified Biotechnical Procedures) Amendment Bill

Government Bill

Explanatory note

General policy statement

This Bill amends Part 7A of the Medicines Act 1981 (“the principal Act”) which controls xenotransplantation procedures in respect of human beings. Part 7A is due to expire on 30 June 2005.

It is proposed, in the long term, that xenotransplantation be covered by new human tissue legislation and therapeutic products legislation. To allow time for that legislation to be developed and enacted, this Bill defers the expiry of Part 7A until 31 December 2006 and allows that date to be extended by Order in Council if necessary.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. This Bill will come into force on the day after the date on which it receives the Royal assent.

Clause 3 amends section 96J of the principal Act. Section 96J provides that Part 7A of the principal Act expires on the close of 30 June 2003. That expiry date was deferred until 30 June 2005 by the Medicines (Deferral of Expiry of Part 7A) Order 2003 (SR 2003/132). *Clause 3(1)* substitutes “31 December 2006” as the new date on which Part 7A will expire. *Clause 3(2)* amends subsection 96J(2), which allowed the original expiry date to be extended, by Order in Council, but only to a date no later than 30 June 2005. The amendment removes the date restriction for extensions, so that the

new expiry date of 31 December 2006 can be extended by Order in Council to any later date.

Hon Annette King

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Medicines (Specified Biotechnical Procedures) Amendment Act **2005**.
- (2) In this Act the Medicines Act 1981¹ is called “the principal Act”. 5
- ¹ 1981 No 118

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Expiry of this Part

- (1) Subsection 96J(1) of the principal Act is amended by omitting the words “30 June 2003” and substituting the words “31 December 2006”. 10
- (2) Subsection 96J(2) of the principal Act is amended by omitting the words “, but that substituted date may not be later than 30 June 2005”. 15