

Senate Community Affairs Committee

INQUIRY INTO NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL AND  
OTHER BENEFITS – COST RECOVERY) BILL 2008

ANSWER TO QUESTION ON NOTICE

Hearing, 28 July 2008

Question: 2

Topic: COST RECOVERY FOR LISTING MEDICINES ON THE PHARMACEUTICAL  
BENEFITS SCHEME AND PROPOSED REGULATIONS

Senator Colbeck asked (CA 66):

‘If you could take on notice whether the government is prepared to give us some additional advice, I certainly would appreciate that and I think that a lot of people would be a lot happier.’

Answer:

The Minister has agreed to make the draft regulations available and they are attached. They represent work-in-progress. Although the Office of Legislative Drafting and Publishing has no objection to the release of the draft regulations, they have not been considered by the Governor-General and therefore have no legal effect.

In order to finalise the regulations, the Bill must be passed by the Parliament and have received Royal Assent. The proposed regulations will then be submitted to the Executive Council Secretariat for the Governor-General’s consideration. If approved, the regulations will be registered on the Federal Register of Legislative Instruments for commencement. The regulations are a disallowable instrument and therefore must be tabled in the Parliament and subject to disallowance for a period of fifteen sitting days.