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MTS No.: 48907 - CHO - PoH

- 9 JUL 2009

Senate Community Affairs Committee
Therapeutic Goods Amendment Measure Bill
Parliament House
CANBERRA ACT 2600

Subject: Therapeutic Goods Amendment (2009 Measures No. 2) Bill 2009

I am writing in response to the invitation for submissions to the Senate Inquiry into the *Therapeutic Goods Amendment (2009 Measures No. 2) Bill 2009*. I have been advised that the Senate, on the recommendation of the Selection of Bills Committee, referred the provisions of the Bill 2009 to the Community Affairs Legislation Committee for inquiry and report by 7 August 2009. I understand that submissions will continue to be received during the term of the inquiry.

The Bill contains a number of important provisions relating to the introduction of new arrangements for the scheduling of medicines and poisons. It is the intention of this new legislation to see the two classes of substances assessed and scheduled by separate committees and decisions taken by the delegates of the Secretary of the Department of Health and Ageing. Decisions will be included in a single legislative instrument, the "Poisons Standard".

These provisions will be significant in updating national arrangements for scheduling of the relevant substances. They have been the subject of exhaustive discussion and consultation under the National Competition Review of Drugs, Poisons and Controlled Substances Legislation conducted by Rhonda Galbally (the Galbally Review) in 2001 and then under the mechanisms developed for the establishment of the Australian New Zealand Therapeutic Products Authority (ANZTPA). The new legislation is the Australia-only part of the previous ANZTPA legislation. The ANZTPA legislation did not proceed when the New Zealand legislation did not have sufficient parliamentary support.

In particular the "Poisons Standard" is the principle tool used by this state for amendment of the Poisons List under the *Poisons Act 1971*. Regulation through this mechanism has an important impact on public access to medicines, veterinary, agricultural and domestic chemicals. Given that this state has one piece of legislation for regulating both drugs and poisons, the operation of a singular legislative instrument, that is the "Poisons Standard", is supported.

This aspect is common to all states and territories with all jurisdictions planning to adopt this standard by reference. Other arrangements may prove an impediment to this process.

Thank you for considering this matter.

Yours sincerely

Lara Giddings MP
Deputy Premier
Minister for Health