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Committee Secretary
Senate Standing Committee on Community Affairs
PO Box 6100 Parliament House
Canberra ACT 2600
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Dear Secretary

RE: SUBMISSION RE THE THERAPEUTIC GOODS AMENDMENT (2009 MEASURES NO 2) BILL 2009 – SCHEDULE 1

The Northern Territory (NT) Department of Health and Families (DHF) supports the proposed changes to the Commonwealth *Therapeutic Goods Act* as contained in the Therapeutic Goods Amendment (2009 Measures No. 2) Bill 2009 – Schedule 1.

The DHF is supportive for several reasons. There has been wide consultation among stakeholders, including industry and governments, during the last 10 years on medicines, poisons and therapeutic goods covering their manufacture, wholesale, retail, usage, professional practice and the consumer of these products.

Since the Galbally review of Drugs, Poisons and Controlled Substances in 2001 which recommended changes at all governmental levels, the NT has been working cooperatively with the other states and territories through the National Coordinating Committee on Therapeutic Goods (NCCTG) to implement the agreed modified recommendations that were endorsed by the Council of Australian Governments (COAG) in June 2005. The majority of these recommendations have been implemented throughout the jurisdictions.

The objectives of these recommendations include:

- reducing the number of pieces of legislation that regulate drugs, poisons and controlled substances
- having improved uniformity of legislation between the states and territories and
- improving the efficiency of administration by creating separate scheduling committees for medicines and poisons with closer links between evaluation and scheduling.

Due to the agreement between the Australian and New Zealand Governments to establish a joint Australian New Zealand Therapeutic Products Authority (ANZTPA), the NT planned to introduce reviewed medicines and poisons legislation for the Territory to coincide with the changes required to the Commonwealth legislation that would underpin the establishment of this Authority. The deferment of establishing ANZTPA delayed the planned implementation of Galbally recommendation 7 regarding replacing the current single scheduling committee for medicines and poisons.

Included in this recommendation was the retention of a single scheduling publication, the 'Standard for the Uniform Scheduling of Drugs and Poisons' (SUSDP) to be adopted by all jurisdictions. A single legislative instrument such as the SUSDP makes administration simpler for the jurisdictions because some substances are used both as poisons and medicines. One publication ensures a uniform approach to substances when they need to be entered in several different schedules because of their different uses.

A report released in August 2008 following the review of the chemicals and plastics regulations in Australia conducted by the Productivity Commission reiterated recommendations from the earlier Galbally review, namely recommendation 7.

The DHF Poisons Control Section administers the Northern Territory *Poisons and Dangerous Drugs Act* and the *Therapeutic Goods and Cosmetics Act*. This section of DHF has reviewed the current legislation and plans to have one Act to replace these two pieces of legislation. The new legislation will adopt the Commonwealth *Therapeutic Goods Act* by reference. This will benefit the Territory by reducing costs by not having to amend the *Therapeutic Goods and Cosmetics Act* from time to time to ensure that it is in harmony with Commonwealth legislation.

The DHF feels that any further delays to the implementation of this Commonwealth legislation are unwarranted.

If you have any further enquiries regarding this matter please contact the manager for Poisons Control Miranda Batten on 8922 7035.

Yours sincerely

David Ashbridge
July 2009