

1989

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

(Presented and read a first time, 1 September 1989)

(SENATOR COULTER)

A BILL

FOR

An Act to amend the National Health Act 1953 to revoke a determination of the Pharmaceutical Benefits Remuneration Tribunal and provide for proper parliamentary control of future determinations

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title

5 1. This Act may be cited as the National Health (Pharmaceutical Benefits Determinations) Amendment Act 1989.

2. The National Health Act 1953 is in this Act referred to as the Principal Act.

Commencement

10 2. This Act commences on 30 September 1989.

2 **National Health (Pharmaceutical Benefits
Determinations) Amendment No. , 1989**

Disallowance of PBRT decisions

3. The determination of the Pharmaceutic Benefits Remuneration Tribunal dated 28 August 1989 and made under subsection 98B of the Principal Act is and shall be of no force or effect.

5

Power of disallowance

4. The Principal Act is amended:

(a) by inserting the following section after section 98B:

Disallowable instrument

10

"98BAA. A determination or approval of criteria under section 98B of this Act is a disallowable instrument for the purposes of section 46A of the Acts Interpretation Act 1901."

(b) by inserting the following subsection after subsection 98C(2):

15

"(3) A determination under subsection (1) is a disallowable instrument for the purposes of section 46A of the Acts Interpretation Act 1901."