



Australian Capital Territory

# Public Health (Community Pharmacy Ownership) Amendment Regulation 2013 (No 1)

Subordinate Law SL2013-4

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The Australian Capital Territory Executive makes the following regulation under the *Public Health Act 1997*.

Dated 26 February 2013.

KATY GALLAGHER  
Minister

SIMON CORBELL  
Minister

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# Public Health (Community Pharmacy Ownership) Amendment Regulation 2013 (No 1)

Subordinate Law SL2013-4

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[Public Health Act 1997](#)

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1	Name of regulation
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	This regulation is the <i>Public Health (Community Pharmacy Ownership) Amendment Regulation 2013 (No 1)</i> .
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## 2 Commencement

This regulation commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

## 3 Legislation amended

This regulation amends the *Public Health Regulation 2000*.

## 4 New section 62 (1) (c)

*before the penalty, insert*

(c) a former corporate pharmacist.

## 5 Section 62 (2), new definitions

*insert*

*close relative*, of a company pharmacist, means the pharmacist's—

(a) domestic partner; or

*Note* **Domestic partner**—see the [Legislation Act](#), s 169.

(b) father, mother, grandfather, grandmother, stepfather, stepmother, father-in-law or mother-in-law; or

(c) son, daughter, grandson, granddaughter, stepson, stepdaughter, son-in-law or daughter-in-law; or

(d) brother, sister, half-brother, half-sister, stepbrother, stepsister, brother-in-law or sister-in-law; or

(e) uncle, aunt, uncle-in-law or aunt-in-law; or

(f) nephew, niece or cousin.

*former corporate pharmacist* means a corporation that—

- (a) on 30 June 2010 owned a pharmacy business; and
- (b) from 30 June 2010—
  - (i) has continuously owned and operated the pharmacy business; and
  - (ii) has only appointed pharmacists as directors of the corporation; and
  - (iii) has only allowed—
    - (A) pharmacists appointed as directors or employed in the corporation (a *company pharmacist*), or close relatives of a company pharmacist, to become new shareholders of the corporation; and
    - (B) beneficial ownership of shares in the corporation; and
  - (iv) if the corporation practises pharmacy as a trustee—is party to a trust deed that prevents a person who is not a company pharmacist, or close relative of a company pharmacist, becoming a new beneficiary under the deed.

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## Endnotes

### 1 Notification

Notified under the [Legislation Act](#) on 28 February 2013.

### 2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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