



**THE HON PETER DUTTON MP
MINISTER FOR HEALTH
MINISTER FOR SPORT**



Ref No: MC14-001556

Dr Dennis Jensen MP
Chair
Standing Committee on Petitions
Parliament House
CANBERRA ACT 2600

Dear Chair

Thank you for your correspondence of 24 February 2014 regarding a petition submitted to the Standing Committee on Petitions, requesting me to exercise my ministerial discretion power to approve a new pharmacy in Miranda, New South Wales.

My Department has advised it has recently received such a request.

The claims made by the pharmacist are currently being researched by my Department and a submission will be prepared for my consideration. I have three months from when the request was made, to decide whether or not I will allow it to proceed to the final stage of the process. The two stage process is in place because there are instances when a request is made, but it is clear that it is not appropriate for me to exercise my discretionary power.

If I do decide to consider the request, I will have a further three months to decide if I will approve the pharmacists to supply Pharmaceutical Benefits Scheme (PBS) medicines. The reason for the additional three months is that it allows time for my Department to seek further information and evidence to assist me to make my decision, including seeking comments from nearby pharmacists, and further information from the pharmacist who made the request. The terms of the petition will also be taken into account during my consideration of this matter.

My discretionary power is designed to address circumstances where there is an unintended consequence of the Pharmacy Location Rules. I can only exercise my discretionary power if I am satisfied that a decision to not approve a pharmacist will result in a community being left without reasonable access to PBS medicines, and it is in the public interest to do so.

Thank you for drawing this petition to my attention and I trust this information is of assistance.

Yours sincerely

PETER DUTTON

17/03/14