

Labor Senators' Additional Comments

1.1 Labor Senators agree that many of the reforms in this legislation – such as the provisional approval pathway for promising new medicines – are positive and should be implemented.

1.2 Labor Senators, however, share several concerns about the legislation which were raised in submissions.

Advertising and complaints handling reforms

1.3 Labor Senators believe that a higher level of caution is warranted regarding the removal of the pre-approval system for advertisements.

1.4 It is not yet clear if the improved post-market surveillance, stronger penalties for regulatory violations and new complaints handling system will be sufficient to render the pre-approvals system unnecessary.

Permitted indications list

1.5 Labor Senators note the divergent views of stakeholders in relation to the permitted indications list for complementary medicines.

1.6 The reforms, including removal of the use of 'free text' indications, on balance, appear to strengthen consumer protections. There were many stakeholders who nonetheless felt the reforms should go further.

Consumer protections

1.7 Further concerns were raised that the TGA Bill is inconsistent with Australian Consumer Law and needs to be changed to provide for meaningful consumer remedies, in particular scope for class action by consumers who have been deceived.

1.8 Labor Senators believe these matters should receive further consideration by the Government and Parliament.

Senator Murray Watt

Senator the Hon Lisa Singh
