

11 August 2023

Hon David Parker, Attorney-General

Consistency with the New Zealand Bill of Rights Act 1990: Medicines (Exemption for Authorised Prescribers) Amendment Bill

Purpose

1. We have considered whether the Medicines (Exemption for Authorised Prescribers) Amendment Bill (the Bill), a member's Bill in the name of Penny Simmonds MP, is consistent with the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990 (the Bill of Rights Act).
2. Currently, under the Medicines Act 1981 (the principal Act), if a medicine has not undergone an assessment and approval process it is classed as an unapproved medicine and there are limits on its supply in Aotearoa New Zealand. Unapproved medicines are brought in as substitutes as some approved medicines become unavailable. Section 29 of the principal Act provides an exemption for medical practitioners to obtain and administer unapproved medicines. Nurse practitioners, as authorised prescribers, are not currently included under section 29. The Bill will extend the exemption in section 29 to all authorised prescribers.
3. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.



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