

OFFICIAL

Ref No.	Suburb/town	State	Date received	Status
DP197	s38	Vic	10/02/2018	Stg 1 - decided not to consider
DP200		Vic	27/03/2018	Stg 2 - discretion exercised
DP206		Vic	19/06/2018	Stg 1 - decided not to consider
DP211		Vic	29/06/2018	Stg 1 - decided not to consider
DP212		Vic	9/07/2018	Stg 2 - discretion not exercised
DP221		VIC	17/08/2018	Stg 1 - decided not to consider
DP222		VIC	23/08/2018	Stg 2 - discretion exercised
DP239		VIC	30/01/2019	Stg 1 - decided not to consider
DP240		VIC	7/02/2019	Stg 1 - decided not to consider
DP272		VIC	26/09/2019	Stg 2 - discretion exercised
DP275		VIC	6/10/2019	Stg 1 - decided not to consider
DP301		TAS	17/07/2020	Stg 2 - discretion exercised
DP303		VIC	21/07/2020	Stg 1 - decided not to consider
DP308		VIC	13/08/2020	Stg 1 - decided not to consider
DP313		VIC	6/10/2020	Stg 2 - discretion exercised
DP315		VIC	15/10/2020	Stg 2 - discretion not exercised
DP317		VIC	20/10/2020	Stg 1 - decided not to consider
DP323		VIC	22/01/2021	Stg 2 - discretion exercised
DP324		VIC	2/02/2021	Stg 2 - discretion exercised
DP325		VIC	4/02/2021	Stg 2 - discretion not exercised
DP330		VIC	1/04/2021	Stg 2 - discretion exercised
DP336		VIC	5/08/2021	Stg 2 - discretion not exercised
DP339		VIC	12/10/2021	Stg 2 - discretion not exercised
DP342		VIC	3/11/2021	Stg 1 - decided not to consider
DP350		TAS	3/12/2021	Stg 1 - decided not to consider
DP351		VIC	21/12/2021	Stg 2 - discretion not exercised
DP353		VIC	23/12/2021	Stg 2 - discretion exercised
DP356		VIC	10/03/2022	Stg 2 - discretion exercised
DP357		VIC	10/03/2022	Stg 1 - decided not to consider
DP358		VIC	23/03/2022	Stg 2 - discretion exercised
DP369		VIC	15/07/2022	Stg 2 - discretion exercised
DP372		VIC	30/09/2022	Stg 1 - decided not to consider
DP382		TAS	6/12/2022	Stg 2 - discretion exercised
DP383		VIC	6/12/2022	Stg 1 - decided not to consider
DP390		VIC	20/01/2023	Stg 2 - discretion exercised
DP392		VIC	1/02/2023	Stg 2 - discretion not exercised
DP397		VIC	27/04/2023	Stg 2 - discretion exercised
DP398		VIC	3/05/2023	Stg 1 - decided not to consider
DP399		VIC	3/05/2023	Stg 2 - discretion not exercised
DP401		VIC	31/05/2023	Stg 2 - discretion not exercised
DP410		VIC	25/08/2023	Stg 2 - discretion not exercised
DP413		VIC	30/08/2023	Stg 1 - decided not to consider
DP415		VIC	30/08/2023	Stg 1 - decided not to consider
DP443		VIC	21/04/2024	Stg 1 - decided not to consider
DP459		VIC	4/10/2024	Stg 1 - decided not to consider
DP463		VIC	23/12/2024	Stg 2 - discretion exercised
DP464		VIC	23/12/2024	Stg 1 - decided not to consider
DP472		VIC	22/05/2025	Stg 2 - discretion not exercised
DP478		VIC	25/07/2025	Stg 1 - decided not to consider
DP481		VIC	5/08/2025	Stg 2 - discretion not exercised

OFFICIAL

OFFICIAL

DP482	s38	VIC	18/08/2025	Stg 2 - discretion not exercised
DP485		TAS	3/09/2025	Stg 1 - decided not to consider
DP496		VIC	5/12/2025	1 stage - discretion exercised
DP498		VIC	18/12/2025	1 stage - discretion exercised

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing

OFFICIAL

From: [90Apharmacy](#)
To: s47F
Subject: DP498 - Notice of decision - Request for Ministerial Discretion - s38
Date: Tuesday, 14 April 2026 1:49:10 PM
Attachments: [image001.png](#)
 s38 - Approval to supply certificate.pdf
 Conditions for approved pharmacists.pdf
 Notification of bank account details for an approved pharmacist.pdf
 Authority to permit person(s) to enquire and or sign claim forms on behalf of approved pharmacist(s) form.pdf
 DP498 - Notice of Ministers decision to approve - s38 PDF

Good afternoon Mr s47F

Please find attached correspondence in relation to your client's request to supply Pharmaceutical Benefits Scheme (PBS) medicines at s38

s38 including:

- Notice of Minister's decision to approve – s38
- PBS Approval to Supply Certificate
- National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017

Please arrange for the following documents to be completed and returned via the PBS Approved Suppliers Portal, noting they must be uploaded by a signed in user.

- Notification of bank account details for approved pharmacist form
- Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s) form.

If you have questions, please email 90Apharmacy@health.gov.au.

Kind regards

s47E(c),
s47F

Ministerial Discretion Team
Health Professionals Compliance Branch

Benefits Integrity Division / Health Resourcing Group
 Australian Government, Department of Health, Disability and Ageing
 E: 90Apharmacy@health.gov.au
 PO Box 9848, Canberra ACT 2601, Australia

The Department of Health, Disability and Ageing acknowledges the traditional owners of country throughout Australia, and their continued connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present

OFFICIAL



Australian Government

Department of Health,
Disability and Ageing

Approval to Supply Pharmaceutical Benefits

National Health Act 1953

s47F

with approval number: s38
trading as:

s38

is approved to supply pharmaceutical benefits under section 90 of the *National Health Act 1953*
at the premises situated at:

s38

effective from the **7th day of April in the year 2026**

s47F

Signature

14 April 2026

Date

Delegate of the Secretary of the Department of Health, Disability and Ageing

OFFICIAL



National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017

PB 70 of 2017

made under paragraph 92A(1)(f) of the

National Health Act 1953

Compilation No. 2

Compilation date: 1 April 2024

Includes amendments: F2024L00412

Registered: 29 July 2024

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017* that shows the text of the law as amended and in force on 1 April 2024 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Part 1—Preliminary

1 Name of Determination

- (1) This Determination is the *National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017*.
- (2) This Determination may also be cited as Determination No. PB 70 of 2017.

4 Purpose

For paragraph 92A (1) (f) of the *National Health Act 1953* (the *Act*), this Determination sets out conditions that apply to the approval of a person as an approved pharmacist for the purposes of Part VII of the Act (including an approval granted before the commencement of section 92A of the Act and an approval of a person or body referred to in section 83Z of the Act).

Note 1: The Minister may, after investigation and report by the appropriate Committee of Inquiry, suspend, further suspend or revoke the approval of a pharmacist if the Minister is satisfied that the pharmacist has, in relation to or arising out of the approval, been guilty of conduct which is an abuse of that approval (see section 95 of the Act). Any conduct of an approved pharmacist that is a contravention of the conditions specified in section 92A of the Act shall be deemed to be conduct that is an abuse of the pharmacist's approval for the purposes of section 95 of the Act (see subsection 92A(3) of the Act).

Note 2: The dispensing of drugs and medicinal preparations is also regulated under State and Territory laws.

5 Definitions

Note 1: A number of expressions used in this Determination are defined in the Act, including the following:

- (a) pharmacist (see subsection 4(1) of the Act);
- (b) premises (see subsection 4(1) of the Act);
- (c) prescription for the supply of a pharmaceutical benefit (see subsection 4(2) of the Act);
- (d) supply of pharmaceutical benefits at premises (see subsection 4(3) of the Act).

Note 2: Under subsection 4(1A) of the Act, a word or phrase defined for the purposes of the *Health Insurance Act 1973* has the meaning that it would have if used in that Act. The expression National Law used in this instrument is defined in that Act.

In this determination:

Act means the *National Health Act 1953*.

approval number, for an approved pharmacist in respect of particular premises, means the pharmacist's approval number under section 16 of the Regulations in respect of those premises.

approved pharmacist has the same meaning as in Part VII of the Act.

approved premises for an approved pharmacist means premises in respect of which the pharmacist is approved for the purposes of Part VII of the *National Health Act 1953*.

arrangement includes a contract, agreement or understanding, written or oral, and whether or not legally enforceable.

brand has the same meaning as in Part VII of the Act.

continued dispensing prescription, for a supply of a pharmaceutical benefit in accordance with subsection 89A(1) of the Act (supply without prescription), means the prescription referred to section 3.03 of the *National Health (Continued Dispensing) Determination 2022* in relation to the supply.

deferred supply authorisation has the same meaning as in the Regulations.

dispensing step: each of the following is a **dispensing step** in the dispensing of a pharmaceutical benefit:

- (a) if the benefit is to be supplied on the basis of a prescription (other than a medication chart prescription), repeat authorisation or deferred supply authorisation—reviewing the prescription, repeat authorisation or deferred supply authorisation;
- (b) if any of the following apply to the benefit—preparing the benefit:
 - (i) the benefit is a listed brand of a pharmaceutical item and the quantity of the benefit is less than a pack quantity of the listed brand of the pharmaceutical item;
 - (ii) the benefit requires the admixture of ready-prepared ingredients;
 - (iii) the benefit is an extemporaneously-prepared pharmaceutical benefit;
- (c) if the benefit is to be supplied other than on an order lodged under section 33 of the Regulations (prescriber bag supplies)—generating, and affixing to the packaging for the benefit, a label that displays the following:
 - (i) for a benefit other than an extemporaneously-prepared pharmaceutical benefit or a benefit that is to be supplied in accordance with the *National Health (Efficient Funding of Chemotherapy) Special Arrangement 2024*—the brand of the pharmaceutical item in the benefit;
 - (ii) if paragraph 40(2A)(b) or 41(2A)(b) of the Regulations applied to the prescription or continued dispensing prescription for the supply of the benefit—each drug that the benefit has;
 - (iii) the form (if any) and quantity or number of units of the benefit;
 - (iv) directions for use of the benefit in accordance with the instructions of the PBS prescriber who wrote the prescription or continued dispensing prescription for the supply of the benefit;
 - (v) the name of the person for whom the prescription or continued dispensing prescription for the supply of the benefit was written;
 - (vi) the date the benefit is dispensed;
 - (vii) the address of the premises at which the benefit is dispensed;

- (viii) the name of the pharmacy situated at those premises (the **dispensing pharmacy**);
- (ix) if subsection 64(1) of the Regulations applies to the benefit—the full cost of the benefit;
- (d) if required by section 52 of the Regulations—preparing a repeat authorisation for the benefit;
- (e) recording the dispensing of the benefit in the dispensing pharmacy's system for recording the dispensing of pharmaceutical benefits.

Note 1: For paragraph (a), a prescription may be in the form of a paper-based prescription or an electronic prescription (see section 39 of the Regulations).

Note 2: For subparagraphs (c)(ii), (iv) and (v), a prescription may be in the form of a paper-based prescription, an electronic prescription or a medication chart prescription (see section 39 of the Regulations).

Note 3: For subparagraph (c)(iii), the form of a pharmaceutical benefit may be determined by reference to strength, type of unit, size of unit or otherwise, and may be such as to require the addition of a substance or substances to the drug so that it will be suitable for administration in a particular manner or at a particular strength (see subsections 85(3) and (4) of the Act).

electronic prescription has the same meaning as in the Regulations.

extemporaneously-prepared pharmaceutical benefit has the same meaning as in the *National Health (Listing of Pharmaceutical Benefits) Instrument 2024*.

listed brand has the same meaning as in Part VII of the Act.

medication chart prescription has the same meaning as in the Regulations.

pack quantity has the same meaning as in Part VII of the Act.

paper-based prescription has the same meaning as in the Regulations.

PBS prescriber has the same meaning as in Part VII of the Act.

pharmaceutical benefit has the same meaning as in Part VII of the Act.

pharmaceutical item has the same meaning as in Part VII of the Act.

pharmacy means a business in the course of the carrying on of which pharmaceutical benefits are supplied.

record form has the same meaning as in Part VII of the Act.

registered pharmacist means an individual who is registered under the National Law in the pharmacy profession.

Regulations means the *National Health (Pharmaceutical Benefits) Regulations 2017*.

repeat authorisation has the same meaning as in the Regulations.

5A Application of this Determination

This Determination applies to the dispensing and supply of a drug or medicinal preparation if:

- (a) the supply of the drug or medicinal preparation is to be a supply of a pharmaceutical benefit under Part VII of the Act (other than a supply taken, because of subsection 99(2A), (2AB) or (2B) of the Act, to be a supply otherwise than under Part VII of the Act); or
- (b) it is purported that the supply of the drug or medicinal preparation is to be a supply of a pharmaceutical benefit under Part VII of the Act (other than a supply taken, because of subsection 99(2A), (2AB) or (2B) of the Act, to be a supply otherwise than under Part VII of the Act).

Note 1: For example, this Determination does not apply to the dispensing and supply of a drug or medicinal preparation if:

- (a) the drug or medicinal preparation is not a pharmaceutical benefit; or
- (b) both:
 - (i) the drug or medicinal preparation is supplied on the basis of a prescription; and
 - (ii) the person presenting the prescription requests that the drug or medicinal preparation not be supplied as a pharmaceutical benefit under Part VII of the Act.

Note 2: For example, this Determination does not apply to the dispensing and supply of a pharmaceutical benefit if:

- (a) the person to whom the pharmaceutical benefit is supplied is not covered by subsection 86(1) of the Act (entitlement to receive pharmaceutical benefits); or
- (b) the following circumstances apply:
 - (i) the pharmaceutical benefit is supplied on the basis of a prescription;
 - (ii) the pharmaceutical benefit is determined, under subsection 85(7) of the Act, to be a relevant pharmaceutical benefit for the purposes of section 88A of the Act (prescription of certain pharmaceutical benefits authorised only in certain circumstances);
 - (iii) the writing of the prescription was not authorised as mentioned in that section.

Part 2—Conditions

6 Standards of practice

An approved pharmacist must, in dispensing and supplying pharmaceutical benefits:

- (a) comply with all legal requirements for the practice of pharmacy; and
- (b) treat patients with dignity regardless of manner of payment, race, sex, age, nationality, religion, disability or any other factor; and
- (c) comply with the Code of Ethics for Pharmacists (2017), published by the Pharmaceutical Society of Australia on 1 February 2017; and
- (d) comply with the Professional Practice Standards – Version 5 – June 2017, published by the Pharmaceutical Society of Australia in June 2017, in relation to each patient, subject to the patient's preparedness to:
 - (i) ensure that the pharmacist has ready access to the patient's medication history; and
 - (ii) provide relevant personal medical information necessary for the pharmacist to individualise patient care; and
 - (iii) authorise medical practitioners and other health care practitioners to release relevant medical information necessary for the pharmacist to act responsibly and reasonably and to individualise patient care; and
 - (iv) allow the pharmacist sufficient time to dispense medications; and
 - (v) follow advice and directions given by the patient's medical practitioner or pharmacist and report any unusual or adverse reactions as soon as possible; and
- (e) maintain a disciplined dispensing procedure that includes:
 - (i) attention to accuracy of product or ingredient selection; and
 - (ii) accuracy of calculations; and
 - (iii) application of accepted techniques for the preparation of pharmaceutical products; and
 - (iv) appropriate packaging and storage; and
 - (v) accuracy of the final product; and
 - (vi) adequate information for the patient.

Note 1: The following are examples for subparagraph (d)(i) of ways that a patient could ensure that an approved pharmacist has ready access to the patient's medication history:

- (a) the patient having all medications, including pharmaceutical benefits, dispensed at or from a single approved premises for the pharmacist;
- (b) the patient providing the pharmacist with the patient's record forms (if any);
- (c) the patient authorising the transfer of the patient's medication history to the approved pharmacist.

Note 2: The Code of Ethics for Pharmacists (2017) and the Professional Practice Standards – Version 5 – June 2017 could in 2023 be viewed on the Pharmaceutical Society of Australia’s website (<https://www.psa.org.au>).

7 Continuing education

An approved pharmacist must maintain the currency of his or her pharmaceutical knowledge in accordance with the National Competency Standards Framework for Pharmacists in Australia 2016, published by the Pharmaceutical Society of Australia in 2016.

Note: The National Competency Standards Framework for Pharmacists in Australia 2016 could in 2023 be viewed on the Pharmaceutical Society of Australia’s website (<https://www.psa.org.au>).

8 Ensuring other pharmacists at approved premises comply with conditions

An approved pharmacist that is approved in respect of particular premises must ensure that a registered pharmacist:

- (a) who is not an approved pharmacist in respect of those premises; and
 - (b) who dispenses pharmaceutical benefits at those premises;
- complies with the conditions set out in this Determination.

9 No purported supply of pharmaceutical benefits at or from unapproved premises

Purported supply at unapproved premises

- (1) An approved pharmacist must not purport to supply a pharmaceutical benefit at premises that are not approved premises for the pharmacist.

Note: A reference to the supply of pharmaceutical benefits at premises is a reference to the supply of pharmaceutical benefits to people who are at the premises when the supply is made (see subsection 4(3) of the Act).

Purported supply from unapproved premises

- (2) An approved pharmacist must not purport to supply a pharmaceutical benefit from premises that are not approved premises for the pharmacist.

10 Requirements for supply of pharmaceutical benefits at or from approved premises—dispensing steps

- (1) An approved pharmacist must not supply a pharmaceutical benefit at or from approved premises for the pharmacist if a requirement in this section is not met in relation to the dispensing of the benefit.

Benefit must be at approved premises when dispensing steps performed

- (2) The benefit must be at the approved premises when each dispensing step in the dispensing of the benefit is performed.

Registered pharmacist must dispense or supervise dispensing

- (3) A registered pharmacist must dispense, or directly supervise the dispensing of, the benefit.

Registered pharmacist must be physically present at approved premises when dispensing steps performed

- (4) The registered pharmacist dispensing, or directly supervising the dispensing of, the benefit must be physically present at the approved premises when each dispensing step in the dispensing of the benefit is performed.

11 Requirements for supply of pharmaceutical benefits at or from approved premises—prescriptions other than medication chart prescriptions

- (1) An approved pharmacist must not supply a pharmaceutical benefit at or from approved premises for the pharmacist if:
- (a) the benefit is supplied on the basis of a prescription that is not a medication chart prescription; and
 - (b) the requirement in subsection (2) is not met in relation to the dispensing of the benefit.
- (2) The registered pharmacist dispensing, or directly supervising the dispensing of, the benefit must, when the step mentioned in paragraph (a) of the definition of ***dispensing step*** in section 5 is performed, see the prescription at the approved premises.

Note: For supplies of pharmaceutical benefits without prescriptions, see the following:

- (a) subsection 89A(1) of the Act and section 46 of the Regulations (supply without prescription);
- (b) section 33 of the Regulations (prescriber bag supplies);
- (c) section 48 of the Regulations (supply before surrender of written prescription).

12 Advances not to be sought, and claims for payment not to be made, for purported supplies or supplies contravening section 10 or 11

Advances

- (1) An approved pharmacist must not seek an advance under subsection 99AB(1) of the Act in relation to:
- (a) the purported supply of a pharmaceutical benefit as mentioned in subsection 9(1) or (2) of this Determination; or
 - (b) the supply of a pharmaceutical benefit if the supply contravened subsection 10(1) or 11(1) of this Determination.

Claims for payment

- (2) An approved pharmacist must not make a claim for payment from the Commonwealth in relation to:

- (a) the purported supply of a pharmaceutical benefit as mentioned in subsection 9(1) or (2); or
- (b) the supply of a pharmaceutical benefit if the supply contravened subsection 10(1) or 11(1).

Note: Section 99 of the Act does not authorise payment in respect of the supply of a drug or medicinal preparation by an approved pharmacist at or from premises in respect of which the pharmacist is not approved (see paragraph 99(3)(b) of the Act).

13 Deferred supply authorisations to be prepared only at approved premises

- (1) This section applies to the preparation by an approved pharmacist of a deferred supply authorisation.
- (2) The approved pharmacist must ensure that the authorisation is prepared by, or under the direct supervision of, a registered pharmacist who is physically present at premises that are approved premises for the approved pharmacist.

14 Approval numbers not to be used in connection with unapproved premises

An approved pharmacist must not use, or allow the use of, the pharmacist's approval number in respect of particular premises in relation to:

- (a) the dispensing of a pharmaceutical benefit at any other premises; or
- (b) the purported supply of a pharmaceutical benefit at or from any other premises; or
- (c) the preparation of a repeat authorisation at any other premises; or
- (d) the preparation of a deferred supply authorisation at any other premises.

Note 1: For example (for paragraphs (a) and (b)), an approved pharmacist must not affix (or allow to be affixed) a label to a pharmaceutical benefit purportedly supplied by the approved pharmacist if:

- (a) the label displays the approval number allotted in respect of premises that are approved premises for the pharmacist; and
- (b) the benefit is dispensed at, or purportedly supplied at or from, premises other than those approved premises for the pharmacist.

Note 2: For example (for paragraph (c)), an approved pharmacist must not mark (or allow the marking) on a repeat authorisation the approval number allotted in respect of premises that are approved premises for the pharmacist if the repeat authorisation is prepared at premises other than those approved premises for the pharmacist.

Note 3: For example (for paragraph (d)), an approved pharmacist must not mark (or allow the marking) on a deferred supply authorisation the approval number allotted in respect of premises that are approved premises for the pharmacist if the deferred supply authorisation is prepared at premises other than those approved premises for the pharmacist.

15 Approved pharmacists not to enter into certain arrangements

An approved pharmacist must not enter into an arrangement with the owner or operator of another pharmacy business for the supply by the approved pharmacist of pharmaceutical benefits to persons presenting at that pharmacy business.

Part 3—Application, saving and transitional provisions

16 Application of amendments made by the *National Health Legislation Amendment (Conditions of Approval for Approved Pharmacists) Instrument 2023*

- (1) Despite the amendments of this Determination made by Schedule 1 to the *National Health Legislation Amendment (Conditions of Approval for Approved Pharmacists) Instrument 2023*, this Determination continues to apply, as if those amendments had not been made, in relation to an approved pharmacist to whom subsection (2) applies during the period mentioned in subsection (3) for the pharmacist.
- (2) For the purposes of subsection (1), this subsection applies to an approved pharmacist if, immediately before 1 June 2023, the Pharmaceutical Services Federal Committee of Inquiry was inquiring into a matter that concerns the services or conduct of the pharmacist.
- (3) For the purposes of subsection (1), the period for the pharmacist begins on 1 June 2023 and ends at the end of the day on which the Committee:
 - (a) gives its report in relation to the matter to the pharmacist; or
 - (b) gives the pharmacist notice in writing that the inquiry has terminated.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
National Health (Pharmaceutical Benefits) (Conditions of approval for approved pharmacists) Determination 2017 (PB 70 of 2017)	29 Sept 2017 (F2017L01297)	30 Sept 2017 (s 2)	—
National Health Legislation Amendment (Conditions of Approval for Approved Pharmacists) Instrument 2023 (PB 17 of 2023)	1 May 2023 (F2023L00511)	Sch 1: 1 June 2023 (s 2(1) item 1)	—
National Health Legislation (Repeal and Consequential Amendments) Instrument 2024 (PB 36 of 2024)	28 Mar 2024 (F2024L00412)	Sch 2 (items 35, 36): 1 Apr 2024 (s 2(1) item 1)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
Part 1 heading	ad F2023L00511
s 1.....	am F2023L00511
s 2.....	rep LA s 48D
s 3.....	rep LA s 48C
s 4.....	am F2023L00511
s 5.....	am F2023L00511; F2024L00412
s 5A.....	ad F2023L00511
Part 2	
Part 2 heading	ad F2023L00511
s 6.....	am F2023L00511
s 7.....	am F2023L00511
s 8.....	rs F2023L00511
s 9.....	rs F2023L00511
s 10.....	ad F2023L00511
s 11.....	ad F2023L00511
s 12.....	ad F2023L00511
s 13.....	ad F2023L00511
s 14.....	ad F2023L00511
s 15.....	ad F2023L00511
Part 3	
Part 3.....	ad F2023L00511
s 16.....	ad F2023L00511



Australian Government

Department of Health,
Disability and Ageing

Notification of bank account details for an approved pharmacist

Purpose of this form

If you are a pharmacist, or director of a company or friendly society, approved under section 90 of the *National Health Act 1953* (Act) to supply Pharmaceutical Benefits Scheme (PBS) medicines at particular premises, complete this form to update or provide your banking details to the Australian Government Department of Health, Disability and Ageing (department) for payments made through claiming for the PBS.

You will need to allow **10 working days** for the change to take effect.

For more information

Go to www.health.gov.au/pbsapprovedsuppliers.

For assistance completing this form, email details of your enquiry to pbsapprovedsuppliers@health.gov.au or call 1800 316 389 (call charges may apply).

Returning your form

Check that all required questions are answered and the form is signed and dated.

This form must be lodged via the PBS Approved Suppliers Portal (Portal) PBSApprovedSuppliers.health.gov.au by a registered and signed in Portal user.

Further information on how to lodge your form is available at www.health.gov.au/pbsapprovedsuppliers under Guides and Forms – *How to upload PDF forms or additional requested information*.

Please do **not** email your form as emailed forms will not be processed.

Privacy and your personal information

Personal information is protected by law, including the *Privacy Act 1988*.

Personal information is being collected in this form by the department for the purposes of processing your notification of an approved pharmacy's bank account details or changes to existing bank account details for the purposes of claiming for the PBS.

If you do not provide this information, the department will not be able to process your notification.

You can get more information about the way in which the department will manage personal information, including our privacy policy, at www.health.gov.au/using-our-websites/website-privacy-policy/privacy-notice-for-the-pbs-approved-suppliers-portal.

Approved pharmacist(s) details

- 1** Details must be provided for all approved pharmacist(s) (i.e. pharmacists and/or company directors and/or friendly society approved representatives).

Approved pharmacist / director 1

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Approved pharmacist / director 2

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Approved pharmacist / director 3

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Approved pharmacist / director 4

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name



If there are more than 4 approved pharmacists and/or directors, attach a separate sheet with details.

Pharmacy details

- 2** PBS approval number or administration number if approval not yet granted

--	--	--	--	--	--	--	--

- 3** Pharmacy business (trading) name

- 4** Address of pharmacy premises

Postcode

- 5** Daytime phone number

Mobile phone number

Email

Contact person's details

This is the person authorised to discuss the details on this form.

- 6** Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

- 7** Daytime phone number

Mobile phone number

Email

Pharmacy bank account details

Processing of forms takes up to 10 business days, therefore requests to register new bank account details or change bank account details should be submitted at least 10 business days prior to the date nominated at question 10 below.

- 8** I would like to: **Tick ONE only**

Register new bank account details ☐ **Go to 10**

Change existing bank account details ☐ **Go to next question**

- 9** If notifying the department of a change to bank account details, record the existing bank account details below.

Name of bank, building society or credit union

Branch number (BSB)

--	--	--	--	--	--

Account number (this may not be the card number)

Account held in the name(s) of

- 10** The following account details are to be used, effective from

	/	
--	---	--

Name of bank, building society or credit union

Branch number (BSB)

--	--	--	--	--	--

Account number (this may not be the card number)

Account held in the name(s) of

All payments are made through Electronic Funds Transfer (EFT). Payments **cannot** be made via EFT if the nominated account has restrictions on EFT deposits.

Declaration

This declaration must be signed by all pharmacist(s) and/or directors of the company or friendly society approved under section 90 of the Act to supply PBS medicines at or from the pharmacy premises referred to at question 4.

11 I/We authorise:

- payments to be made into the nominated bank account.

I/We declare that:

- I/we are the pharmacist(s) and/or director(s) of the company or friendly society approved under section 90 of the Act to supply PBS medicines at or from the pharmacy premises referred to at question 4.
- the information I/we have provided in this form is complete and correct.

I/We understand that:

- giving false or misleading information is a serious offence.

Approved pharmacist / director 1

Full name

Signature

Date

 / /

Approved pharmacist / director 2

Full name

Signature

Date

 / /

Approved pharmacist / director 3

Full name

Signature

Date

 / /

Approved pharmacist / director 4

Full name

Signature

Date

 / /


If there are more than 4 approved pharmacists and/or directors, attach a separate sheet with details.



Australian Government

Department of Health,
Disability and Ageing

Authorise person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s)

Purpose of this form

If you are a pharmacist, or director of a company or friendly society, approved under section 90 of the *National Health Act 1953* (Act) to supply Pharmaceutical Benefits Scheme (PBS) medicines at particular premises, complete this form to provide details to the Australian Government Department of Health, Disability and Ageing (department):

- of all persons working at the approved pharmacy who are authorised to:
 - enquire on behalf of the approved pharmacist(s), and/or
 - sign pharmaceutical benefit claim forms and endorse pharmaceutical benefit prescriptions on behalf of the approved pharmacist(s); and
- remove any previously authorised person who is not named in this form, with the exception of the approved pharmacist(s) and/or director(s) of a company or friendly society as named at question 1.

Important information

This new authority will replace any previous authority you may have submitted. Anyone not named at question 3 of this form as an authorised person will be removed from our record for the PBS approval number nominated at question 2. Therefore, it is important you include details of all current authorised persons, even if you have provided these details before.

Any requests or changes relating to the approved pharmacy record will only be accepted from the approved pharmacist(s) and/or director(s) of an approved company or friendly society in respect of the pharmacy premises nominated at question 2.

For more information

Go to www.health.gov.au/pbsapprovedsuppliers.

For assistance completing this form, email details of your enquiry to pbsapprovedsuppliers@health.gov.au or call 1800 316 389 (call charges may apply).

Returning your form

Check that all required questions are answered and the form is signed and dated.

This form must be lodged via the PBS Approved Suppliers Portal (Portal) PBSApprovedSuppliers.health.gov.au by a registered and signed in Portal user.

Further information on how to lodge your form is available at www.health.gov.au/pbsapprovedsuppliers under Guides and Forms – *How to upload PDF forms or additional requested information*.

Please do **not** email your form as emailed forms will not be processed.

Privacy and your personal information

Personal information is protected by law, including the *Privacy Act 1988*.

health03pbs.202511

Personal information is being collected in this form by the department for the purposes of processing your authority for person(s) to enquire and/or sign pharmaceutical benefit claim forms and endorse pharmaceutical benefit prescriptions on your behalf.

If you do not provide this information, the department will not be able to assess your authorisation.

You can get more information about the way in which the department will manage personal information, including our privacy policy, at www.health.gov.au/using-our-websites/website-privacy-policy/privacy-notice-for-the-pbs-approved-suppliers-portal.

Approved pharmacist(s) details

- 1 Details must be provided for all approved pharmacist(s) (i.e. pharmacists and/or company directors and/or friendly society approved representatives).

Approved pharmacist / director 1

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Approved pharmacist / director 2

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Approved pharmacist / director 3

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Approved pharmacist / director 4

Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name



If there are more than 4 approved pharmacists and/or directors, attach a separate sheet with details.

Contact person's details

This is the person authorised to discuss the details on this form.

4 Dr ☐ Mr ☐ Ms ☐ Other

Family name

First given name

Organisation

Position

Daytime phone number

Mobile phone number

Email

Declaration

This declaration must be signed by one of the pharmacists or directors of the company or friendly society named at question 1 of this form.

- 5 On behalf of the pharmacist(s) and/or directors of the company or friendly society named at question 1 of this form:

I declare that:

- the information provided in this form is complete and correct.
- the dispensing of drugs and medicinal preparations will be performed under the direct supervision of a pharmacist at the premises specified at question 2 of this form, in accordance with Part VII of the Act and the regulation made under the Act.

I authorise:

- the person(s) whose signature(s) appear at question 3 of this form to:
 - enquire on my/our behalf, and/or
 - sign pharmaceutical benefit claim forms and endorse pharmaceutical benefit prescriptions on my/our behalf*.
- the removal of any person previously recorded as a permitted person, who is not named at question 3 of this form.

I understand that:

- *only pharmacists are permitted to sign pharmaceutical benefit claim forms and endorse pharmaceutical benefit prescriptions.
- only those person(s) named at question 3 of this form will be recorded as being authorised to act as outlined above.
- this authority does not remove the approved pharmacist(s) and/or directors of the approved company or friendly society, as named at question 1 of this form, as authorised persons for the pharmacy approval record.
- giving false or misleading information is a serious offence.

Name

Signature

Date

OFFICIAL

Ref: DP498

s47F

Dear Applicant

Request for Ministerial Approval to supply pharmaceutical benefits - Notice of decision

I, Lynda Foyster, a delegate of the Secretary of the Department of Health, Disability and Ageing (department) for subsection 90B(6) of the *National Health Act 1953* (Act), am writing to notify you that on 7 April 2026 the Minister for Health and Ageing (Minister) approved:

s47F

to supply pharmaceutical benefits at:

s38

s38

Approval at the approved premises

A delegate of the Minister for regulation 16 of the *National Health (Pharmaceutical Benefits) Regulations 2017* has issued approval number s38 in respect of the approved premises.

A pharmacist approved to supply PBS medicines in respect of particular premises as the result of a ministerial discretion process is treated as approved under section 90 of the Act. It is therefore expected that you will carry on business as a pharmacist, including the supply of pharmaceutical benefits, at the approved premises as soon as possible, subject to relevant approvals being obtained from the Victorian Pharmacy Authority (VPA). Please provide evidence of your VPA approval by email to 90Apharmacy@health.gov.au.

OFFICIAL

OFFICIAL

Please note, an approval to supply PBS medicines is not proprietary in nature and should not be used as security against a loan.

Conditions of approval

It is important to note that this approval is subject to the conditions specified in section 92A of the Act, including those determined by the Minister under subsection 92A(1)(f) of the Act (refer to National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017 attached).

Any subsequent application to relocate the pharmacy must be made in accordance with the Pharmacy Location Rules in force at the time the application is made.

As the approved pharmacist, it is your responsibility to:

- understand and comply with any changes to the legislation in the supply of pharmaceutical benefits
- let us know of any changes that affect the supply of pharmaceutical benefits at the pharmacy premises
- notify us if changes occur to your pharmacy premises and/or the approved pharmacist/s.

Bank account for PBS payments and authorising pharmacist(s) to submit claims

You must complete and return the following forms (attached) via the PBS Approved Suppliers Portal at www.pbsapprovesuppliers.health.gov.au to enable payment of your PBS claims and/or to authorise a pharmacist to sign claim on your behalf:

- *Notification of bank account details for an approved pharmacy*
- *Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s)*

Pharmacy landline

Please email the pharmacy's landline telephone number to pbsapprovesuppliers@health.gov.au.

Online claiming for PBS

You must register your ABN and enter into a Recipient Created Tax Invoice Agreement with Services Australia (Medicare) for your new pharmacy approval number.

You will need to set-up in PRODA for PBS online claiming, including registering your organisation in PRODA, adding and linking to PBS Online with your new pharmacy approval number, and registering a B2B Device for claiming.

Information about online claiming, PRODA set-up and the required forms is available on the Services Australia website at www.servicesaustralia.gov.au using the search term 'PBS online claiming'.

Ordering PBS stationery supplies

PBS stationery must be ordered through Health Professional Online Services (HPOS). To set up a HPOS account, you must:

- register for an individual PRODA account (employees should also register for an individual PRODA account if they don't yet have one)
- register your pharmacy as an organisation in PRODA
- link to the HPOS service in PRODA using the pharmacy approval number

Further information on ordering PBS stationery through HPOS is available at servicesaustralia.gov.au/pbsstationery.

OFFICIAL

OFFICIAL

Efficient Funding of Chemotherapy (EFC) arrangements

Should you wish to claim eligible EFC items you will need to obtain a Compounder ID for your pharmacy or the ID of the compounder used to prepare these medicines. More information on how to obtain a Compounder ID can be found at www.ccpsagency.com.au/compounderform.pdf.

Community Pharmacy Programs

Please advise the Pharmacy Program Administrator, the organisation responsible for administering Community Pharmacy Programs funded under the Community Pharmacy Agreements, of any changes to your PBS approval number.

If you have any questions, please email 90Apharmacy@health.gov.au.

Yours sincerely

s47E(c), s47F

Lynda Foyster
Delegate of the Secretary of the Department of Health, Disability and Ageing
14 April 2026

Attachments

Certificate of Approval

National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists)
Determination 2017

Notification of bank account details for approved pharmacy form

Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s) form

OFFICIAL

From: [90Apharmacy](#)
To: s47F
Cc: s47F
Subject: DP498 - Statement of Reasons - Letter to surrounding pharmacist - s38
Date: Wednesday, 6 May 2026 9:59:21 AM
Attachments: [image001.png](#)
[SoR Cover letter to surrounding pharmacist - s38 .pdf](#)
[Signed Statement of reasons and Att A.pdf](#)

Dear Pharmacy owner

Please find attached correspondence in relation to a request by another pharmacist for approval to supply PBS medicines at premises in s38

Regards

s47E(
)

Ministerial Discretion Team
Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
Australian Government, Department of Health, Disability and Ageing
E: 90Apharmacy@health.gov.au
GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health, Disability and Ageing acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing



Australian Government

Department of Health,
Disability and Ageing

Our ref: DP498

Pharmacy Owner

s38

s47F

Dear Pharmacy Owner

Request for a Statement of Reasons – s38

I refer to your request received on 17 April 2026 for a Statement of Reasons under subsection 13(1) of the *Administrative Decisions (Judicial Review) Act 1977* in relation to a decision made by the Minister for Health and Ageing on 7 April 2026 to exercise discretion to approve another pharmacist to supply pharmaceutical benefits at s38

Please find the Statement of Reasons attached. The Statement of Reasons sets out the findings on the material questions of fact, referring to the evidence or other material on which those findings were based, but does not include any information which must not be divulged under section 135A of the *National Health Act 1953*.

Yours sincerely

s47F, s47E(c)

Ministerial Discretion Team
6 May 2026

Encl: Statement of Reasons



The Hon Mark Butler MP
Minister for Health and Ageing

Statement of Reasons

This statement is provided in response to a request received from the representative of a Surrounding Pharmacist for a Statement of Reasons under section 13 of the *Administrative Decisions (Judicial Review) Act 1977*. This statement is made in relation to a decision made by me, as Minister for Health and Ageing, under subsection 90A(2) of the *National Health Act 1953*, to substitute (for the Secretary's decision) a decision to approve another pharmacist (Applicant) for the purpose of supplying pharmaceutical benefits at

s38

Definitions

In this statement:

'Act' means the *National Health Act 1953*;

'Applicant' means the pharmacist who applied for approval under section 90 of the Act; and subsequently under subsection 90B(1) for the exercise of the Minister for Health and Ageing's discretion under subsection 90A(2) of the Act;

'Authority' means the Australian Community Pharmacy Authority established under section 99J of the Act;

'department' means the Australian Government Department of Health, Disability and Ageing;

'Minister' means the Minister for Health and Ageing;

'Ministerial Submission' means the Ministerial Submission provided by the department on 31 March 2026, in relation to the request for approval by the Applicant made under subsection 90B(1) of the Act;

'proposed premises' means premises located at s38
VIC s38

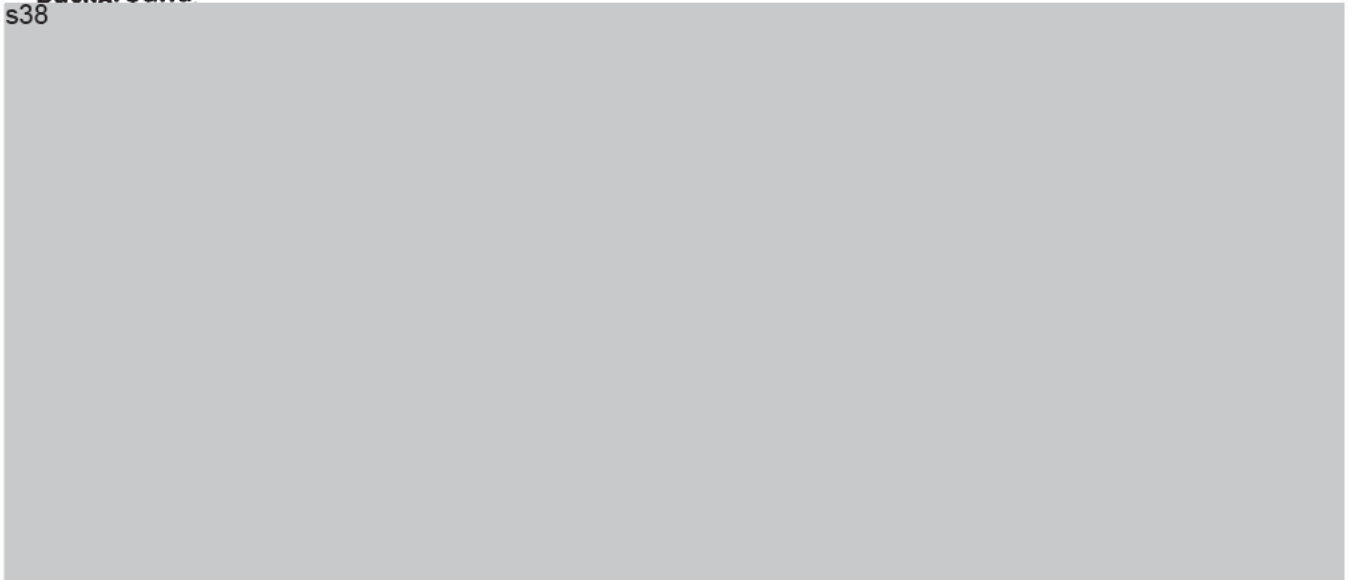
'Rules' means the National Health (Australian Community Pharmacy Authority Rules) Determination 2018 (PB 46 of 2018) made under section 99L of the Act;

'Secretary' means the Secretary of the department;

'section 90 Application' means the application made on 28 August 2025 under section 90 of the Act for approval to supply pharmaceutical benefits at the proposed premises.

Background

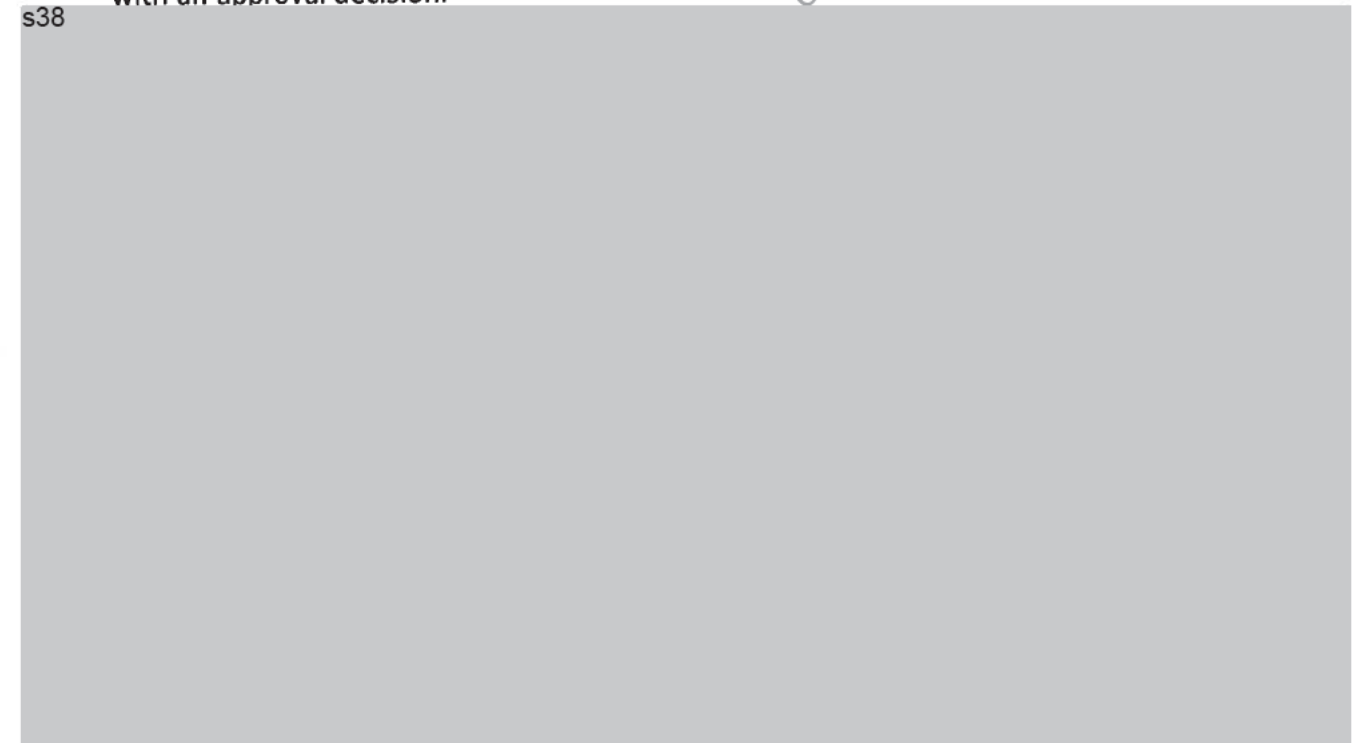
s38



Request for exercise of Discretionary Power

6. Under subsection 90B(1) of the Act, if section 90A applies to a rejection under section 90, a pharmacist can lodge a request with the department for me to exercise my discretionary power under subsection 90A(2) of the Act. Subsection 90A(2) of the Act provides that I may, in certain circumstances, substitute a rejection by the Secretary or delegate under section 90 with an approval decision.

s38



Exercise of discretionary power

12. On 7 April 2026, I decided, in accordance with subsection 90A(2) of the Act, to approve the Applicant's request for approval to supply pharmaceutical benefits at the proposed premises.
13. An extract of the relevant legislation is at **Attachment A**.

My Decision

18. I decided to approve the Applicant's request for approval to supply pharmaceutical benefits at ^{s38}
19. I decided to approve the Applicant's request because I was satisfied that the decision, made by a delegate of the Secretary, to not approve the Applicant would result in a community being left without reasonable access to pharmaceutical benefits supplied by an approved pharmacist, and that it was in the public interest to approve the Applicant.

Relevant community

20. Paragraph 90A(3) of the Act provides that for the purposes of subsection (2), community means a group of people that, in my opinion, constitute a community.

s38

and ageing

24. Accordingly, I decided to approve the Applicant's request because I was satisfied it met the criteria in subsection 90A(2) of the Act.



Mark Butler

04 / 05 / 2026

Encl: Attachment A: Extract of the relevant legislation

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing

ATTACHMENT A

National Health Act 1953

Sections 90A and 90B of the Act provide as follows:

90A Minister may substitute decision approving pharmacist

- (1) This section applies in relation to a decision of the Secretary under section 90 rejecting an application by a pharmacist for approval to supply pharmaceutical benefits at particular premises, if:
 - (a) the application was made on or after 1 July 2006; and
 - (b) the decision was made on the basis that the application did not comply with the requirements of the relevant rules determined by the Minister under section 99L.
- (2) The Minister may substitute for the Secretary's decision a decision approving the pharmacist for the purpose of supplying pharmaceutical benefits at the particular premises if the Minister is satisfied that:
 - (a) the Secretary's decision will result in a community being left without reasonable access to pharmaceutical benefits supplied by an approved pharmacist; and
 - (b) it is in the public interest to approve the pharmacist.
- (3) For the purposes of subsection (2):

community means a group of people that, in the opinion of the Minister, constitutes a community.

reasonable access, in relation to pharmaceutical benefits supplied by an approved pharmacist, means access that, in the opinion of the Minister, is reasonable.
- (4) The power under subsection (2) may only be exercised:
 - (a) on request by the pharmacist made under section 90B; and
 - (b) by the Minister personally.
- (6) The power under subsection (2) does not authorise the Minister to approve a pharmacist for the purpose of supplying pharmaceutical benefits at particular premises at which the pharmacist is not permitted, under the law of the State or Territory in which the premises are situated, to carry on business.
- (7) A decision by the Minister not to exercise the power under subsection (2) in respect of the Secretary's decision does not prevent the pharmacist from making an application to the Administrative Review Tribunal under subsection 105AB(7) for review of the Secretary's decision.
- (8) For the purposes of this section (other than subsection (7)):
 - (a) a reference to a decision of the Secretary includes a reference to a decision of the Secretary that has been affirmed by a decision of the Administrative Review Tribunal or an order of a federal court; and
 - (b) a reference to a decision of the Administrative Review Tribunal includes a reference to a decision of the Administrative Review Tribunal that has been affirmed by an order of a federal court.

90B Request to Minister to approve pharmacist

- (1) If section 90A applies to a decision of the Secretary under section 90 rejecting an application by a pharmacist, the pharmacist may, in writing, request the Minister to exercise the Minister's power under subsection 90A(2) in respect of the Secretary's decision.
- (2) The Minister may determine the form in which a request under subsection (1) must be made and, if the Minister does so, such a request must be made in that form.
- (3) A request under subsection (1) must be made:
 - (a) within 30 days after the pharmacist is notified of the Secretary's decision; or
 - (b) if the pharmacist has applied to the Administrative Review Tribunal for review of the Secretary's decision—within 30 days after:
 - (i) the pharmacist is given a copy of the Administrative Review Tribunal's decision affirming the Secretary's decision; or
 - (ii) the application has been discontinued, withdrawn or dismissed; or
 - (c) if the pharmacist has sought an order from a federal court in respect of the Secretary's decision or a decision of the Administrative Review Tribunal affirming the Secretary's decision—within 30 days after:
 - (i) the court has made an order affirming the Secretary's decision or the Administrative Review Tribunal's decision, as the case requires; or
 - (ii) the court proceeding has been discontinued, withdrawn or dismissed.
- (3A) Despite subsection (3), if:
 - (a) the pharmacist makes an application under section 123 of the *Administrative Review Tribunal Act 2024* for the President of the Administrative Review Tribunal to refer a decision on review of the Secretary's decision to the guidance and appeals panel for review; and
 - (b) the President refuses the application;
 the pharmacist may make a request under subsection (1) within 30 days of the day on which the pharmacist is notified of the refusal under section 129 of the *Administrative Review Tribunal Act 2024*.
- (5) The Minister must, within 4 months after the day a request is received under subsection (1), personally decide whether to exercise the power under subsection 90A(2) in respect of the Secretary's decision. If the Minister has not made a decision within this period, the Minister is taken to have decided not to exercise the power under subsection 90A(2) in respect of the Secretary's decision.
- (6) The Secretary must, by notice in writing, advise the pharmacist of the decision made, or taken to have been made, by the Minister under subsection (5).

From: [90Apharmacy](#)
To: s47F
Subject: DP496 - Notice of decision - Request for Ministerial Discretion - s38
Date: Tuesday, 31 March 2026 2:04:24 PM
Attachments: [image001.png](#)
[DP496 - Notice of Ministers decision to approve - s38 .pdf](#)
[s38 - Approval to supply certificate.pdf](#)
[Conditions for approved pharmacists.pdf](#)
[Notification of bank account details for an approved pharmacist.pdf](#)
[Authority to permit person\(s\) to enquire and or sign claim forms on behalf of approved pharmacist\(s\) form.pdf](#)

Good afternoon s47F

Please find attached correspondence in relation to your request to supply Pharmaceutical Benefits Scheme (PBS) medicines at s38 including:

- Notice of Minister's decision to approve – s38
- PBS Approval to Supply Certificate
- National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017

Please arrange for the following documents to be completed and returned via the PBS Approved Suppliers Portal, noting they must be uploaded by a signed in user.

- Notification of bank account details for approved pharmacist form
- Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s) form.

If you have questions, please email 90Apharmacy@health.gov.au.

Kind regards

s47E(c), s47F

Ministerial Discretion Team
Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
 Australian Government, Department of Health, Disability and Ageing
 E: 90Apharmacy@health.gov.au
 PO Box 9848, Canberra ACT 2601, Australia

The Department of Health, Disability and Ageing acknowledges the traditional owners of country throughout Australia, and their continued connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present



Australian Government

Department of Health,
Disability and Ageing

Ref: DP496

s38

s47F

Dear Applicant

Request for Ministerial Approval to supply pharmaceutical benefits - Notice of decision

I, Lynda Foyster, a delegate of the Secretary of the Department of Health, Disability and Ageing (department) for subsection 90B(6) of the *National Health Act 1953* (Act), am writing to notify you that on 27 March 2026 the Minister for Health and Ageing (Minister) approved:

s38

to supply pharmaceutical benefits at:

s38

The approval number allocated to you by the delegate of the Minister for regulation 16 of the National Health (Pharmaceutical Benefits) Regulations 2017 is s38. Please reference this number on all communications with us and when submitting Pharmaceutical Benefits Scheme (PBS) claims to Services Australia.

Enclosed is your 'Certificate of Approval' for the above premises.

Conditions of approval

It is important to note that this approval is subject to the conditions specified in section 92A of the Act, including those determined by the Minister under subsection 92A(1)(f) of the Act (refer to National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017 attached).

As your application was originally made under s38 of the National Health (Australian Community Pharmacy Authority Rules) Determination 2018 (Pharmacy Location Rules), it is subject to the restrictions applicable to that Item (see Item 313 of the Pharmacy Location Rules).

As the approved pharmacist, it is your responsibility to:

- understand and comply with any changes to the legislation in the supply of pharmaceutical benefits
- let us know of any changes that affect the supply of pharmaceutical benefits at the pharmacy premises
- notify us if changes occur to your pharmacy premises and/or the approved pharmacist/s.

Bank account for PBS payments and authorising pharmacist(s) to submit claims

You must complete and return the following forms (attached) via the PBS Approved Suppliers Portal at www.pbsapprovedsuppliers.health.gov.au to enable payment of your PBS claims and/or to authorise a pharmacist to sign claim on your behalf:

- *Notification of bank account details for an approved pharmacy*
- *Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s)*

Pharmacy landline

Please advise us of the pharmacy's landline by emailing pbsapprovedsuppliers@health.gov.au.

Online claiming for PBS

If you have not already done so, you must register your ABN and enter into a Recipient Created Tax Invoice Agreement with Services Australia (Medicare) for your new pharmacy approval number.

You will need to set-up in PRODA for PBS online claiming, including registering your organisation in PRODA, adding and linking to PBS Online with your new pharmacy approval number, and registering a B2B Device for claiming.

Information about online claiming, PRODA set-up and the required forms is available on the Services Australia website at www.servicesaustralia.gov.au using the search term 'PBS online claiming'.

Ordering PBS stationery supplies

PBS stationery must be ordered through Health Professional Online Services (HPOS). To set up a HPOS account, you must:

- register for an individual PRODA account (employees should also register for an individual PRODA account if they don't yet have one)
- register your pharmacy as an organisation in PRODA
- link to the HPOS service in PRODA using the pharmacy approval number

Further information on ordering PBS stationery through HPOS is available at servicesaustralia.gov.au/pbsstationery.

Efficient Funding of Chemotherapy (EFC) arrangements

Should you wish to claim eligible EFC items you will need to obtain a Compounder ID for your pharmacy or the ID of the compounder used to prepare these medicines. More information on how to obtain a Compounder ID can be found at www.ccpsagency.com.au/compounderform.pdf.

Community Pharmacy Programs

Please advise the Pharmacy Program Administrator, the organisation responsible for administering Community Pharmacy Programs funded under the Community Pharmacy Agreements, of any changes to your PBS approval number.

If you have any questions, please email 90Apharmacy@health.gov.au.

Yours sincerely

s47E(C), s47F

Lynda Foyster
Delegate of the Secretary of the Department of Health, Disability and Ageing
31 March 2026

Attachments

Certificate of Approval

National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists)
Determination 2017

Notification of bank account details for approved pharmacy form

*Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved
pharmacist(s) form*

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing

OFFICIAL



Australian Government

Department of Health,
Disability and Ageing

Approval to Supply Pharmaceutical Benefits

National Health Act 1953

s38

with approval number: s38
trading as:

s38

is approved to supply pharmaceutical benefits under section 90 of the *National Health Act 1953*
at the premises situated at:

s38

effective from the **27th day of March in the year 2026**

s47F

31 March 2026

Signature

Date

Delegate of the Secretary of the Department of Health, Disability and Ageing

OFFICIAL

From: [90Apharmacy](mailto:90Apharmacy@health.gov.au)
To: s47F
Subject: Notice of decision - Request for Ministerial Discretion - s38 [SEC=OFFICIAL]
Date: Tuesday, 29 April 2025 1:25:13 PM
Attachments: [image001.png](#)
[DP463 - Notice of Ministers decision - s38 pdf](#)
[s38 - Approval to supply certificate.pdf](#)
[Conditions for approved pharmacists.pdf](#)
[Notification of bank account details for an approved pharmacy.pdf](#)
[Authority to permit person\(s\) to enquire and sign claim forms on behalf of approved pharmacists.pdf](#)

Dear s47F

Please find attached correspondence in relation to your client's request to supply Pharmaceutical Benefits Scheme (PBS) medicines at s38 including:

- Notice of Minister's decision to approve - s38
- PBS Approval to Supply Certificate
- National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017

Please complete and return the following documents via the PBS Approved Suppliers Portal.

- Notification of bank account details for approved pharmacist form
- Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s) form

If you have questions, please email 90Apharmacy@health.gov.au.

Kind regards

s47E(c), s47F

Ministerial Discretion Team
Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
 Australian Government, Department of Health and Aged Care
 E: 90Apharmacy@health.gov.au
 GPO Box 9848 Canberra ACT 2601 Australia

The Department of Health and Aged Care acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present



Australian Government

Department of Health and Aged Care

Ref: DP463

s38

s47F

Dear Applicant

Request for Ministerial Approval to supply pharmaceutical benefits - Notice of decision

I, Anthony McEachran, a delegate of the Secretary of the Department of Health and Aged Care (department) for subsection 90B(6) of the *National Health Act 1953* (Act), am writing to notify you that on 23 April 2025, the Minister for Health and Aged Care (Minister) approved:

s38

to supply pharmaceutical benefits at:

s38

The number that has been allocated to your approval by the delegate of the Minister for regulation 16 of the National Health (Pharmaceutical Benefits) Regulations 2017 is s38. Please reference this number on all official communications with us and when submitting Pharmaceutical Benefits Scheme (PBS) claims to Services Australia.

Enclosed is your 'Certificate of Approval' in respect of the above premises.

We have not been provided with evidence of approval from the relevant state or territory pharmacy authority to operate a pharmacy business at the address in respect of which approval has been granted. Please email this evidence to 90Apharmacy@health.gov.au by **Monday 7 July 2025**.

Conditions of approval

It is important to note that this approval is subject to the conditions specified in section 92A of the Act, including those determined by the Minister under subsection 92A(1)(f) of the Act (refer to National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017 attached).

As your application was originally made under s38 of the National Health (Australian Community Pharmacy Authority Rules) Determination 2018 (Pharmacy Location Rules), it is subject to the restrictions applicable to that Item (see Item 313 of the Pharmacy Location Rules).

As the approved pharmacist, it is your responsibility to:

- understand and comply with any changes to the legislation in the supply of pharmaceutical benefits
- let us know of any changes that affect the supply of pharmaceutical benefits at the pharmacy premises
- notify us if changes occur to your pharmacy premises and/or the approved pharmacist/s.

Bank account for PBS payments and authorising pharmacist(s) to submit claims

You will need to complete the following forms (attached) to enable payment of your PBS claims and/or to authorise a pharmacist to sign claim on your behalf:

- *Notification of bank account details for an approved pharmacy*
- *Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s)*

These forms must be returned via the PBS Approved Suppliers Portal accessible at www.pbsapprovedsuppliers.health.gov.au.

Pharmacy landline

Once the pharmacy is open and trading, you will need to advise us of the pharmacy's landline by emailing: pbsapprovedsuppliers@health.gov.au.

Online claiming for PBS

If you have not already done so, you must register your ABN and enter into a Recipient Created Tax Invoice Agreement with Services Australia (Medicare) for your new pharmacy approval number.

You will need to set-up in PRODA for PBS online claiming, including registering your organisation in PRODA, adding and linking to PBS Online with your new pharmacy approval number, and registering a B2B Device for claiming.

Information about online claiming, PRODA set-up and the required forms is available on the Services Australia website at www.servicesaustralia.gov.au using the search term 'PBS online claiming'.

Ordering PBS stationery supplies

PBS stationery must be ordered through Health Professional Online Services (HPOS). To set up a HPOS account, you must:

- register for an individual PRODA account (employees should also register for an individual PRODA account if they don't yet have one)
- register your pharmacy as an organisation in PRODA
- link to the HPOS service in PRODA using the pharmacy approval number

Further information on ordering PBS stationery through HPOS is available at servicesaustralia.gov.au/pbsstationery.

Efficient Funding of Chemotherapy (EFC) arrangements

Should you wish to claim eligible EFC items you will need to obtain a Compounder ID for your pharmacy or the ID of the compounder used to prepare these medicines. More information on how to obtain a Compounder ID can be found at www.ccpsagency.com.au/compounderform.pdf.

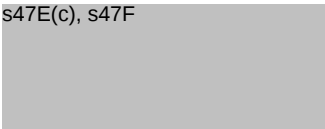
Community Pharmacy Programs

Please ensure that you advise the Pharmacy Program Administrator, the organisation responsible for administering Community Pharmacy Programs funded under the Community Pharmacy Agreements, of any changes to your PBS approval number.

If you have any questions, please email 90Apharmacy@health.gov.au.

Yours sincerely

s47E(c), s47F



Anthony McEachran

Delegate of the Secretary of the Department of Health and Aged Care
29 April 2025

Attachments

Certificate of Approval

National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists)
Determination 2017

Notification of bank account details for approved pharmacy form

Authority to permit person(s) to enquire and/or sign claim forms on behalf of approved pharmacist(s) form

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing



Australian Government

Department of Health and Aged Care

Approval to Supply Pharmaceutical Benefits

National Health Act 1953

s38

with approval number: s38
trading as:

s38

has approval to supply pharmaceutical benefits at the premises situated at:

s38

effective from the **23rd day of April in the year 2025**

s47F

Signature

29 April 2025

Date

Delegate, Department of Health and Aged Care

From: [90Apharmacy](#)
To: s47F
Cc: s47F
Subject: Request for a Statement of Reasons - s38 [SEC=OFFICIAL]
Date: Friday, 30 May 2025 1:52:00 PM
Attachments: [image001.png](#)
[Signed Statement of Reasons and Att A.pdf](#)
[SoR Cover letter to surrounding pharmacist - s38 .pdf](#)

Dear Ms s47F

Please find attached the covering letter and Statement of Reasons relating to the approval of premises in s38

Regards

s47E(c),
s47F

Ministerial Discretion Team
Health Professionals Compliance Branch

Benefits Integrity Division | Health Resourcing Group
 Australian Government, Department of Health, Disability and Ageing
 E: 90Apharmacy@health.gov.au
 GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health, Disability and Ageing acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing



The Hon Mark Butler MP
Minister for Health and Ageing

Statement of Reasons

This statement is provided in response to a request received from the representative of a surrounding pharmacist for a Statement of Reasons under section 13 of the *Administrative Decisions (Judicial Review) Act 1977*. This statement is made in relation to a decision made by the Minister for Health and Ageing, under subsection 90A(2) of the *National Health Act 1953*, to substitute (for the Secretary's decision) a decision to approve another pharmacist (Applicant) for the purpose of supplying pharmaceutical benefits at s38

Definitions

In this statement:

'Act' means the *National Health Act 1953*;

'Applicant' means the pharmacist who applied for approval under section 90 of the Act; and subsequently under subsection 90B(1) for the exercise of the Minister for Health and Ageing's discretion under subsection 90A(2) of the Act;

'Authority' means the Australian Community Pharmacy Authority established under section 99J of the Act;

'department' means the Australian Government Department of Health, Disability and Ageing;

'Minister' means the Minister for Health and Ageing;

'Ministerial Submission' means the Ministerial Submission provided by my department on 8 April 2025, in relation to the request for approval by the Applicant made under subsection 90B(1) of the Act;

'proposed premises' means premises located at s38

'Rules' means the National Health (Australian Community Pharmacy Authority Rules) Determination 2018 (PB 46 of 2018) made under section 99L of the Act;

'Secretary' means the Secretary of the department;

'section 90 Application' means the application made on 29 August 2024 under section 90 of the Act for approval to supply pharmaceutical benefits at the proposed premises.

s38

Request for exercise of Discretionary Power

6. Under subsection 90B(1) of the Act, if section 90A applies to a rejection under section 90, a pharmacist can lodge a request with my department for me to exercise my discretionary power under subsection 90A(2) of the Act. Subsection 90A(2) of the Act provides that I may, in certain circumstances, substitute a rejection by the Secretary or delegate under section 90 with an approval decision.

s38

Exercise of discretionary power

12. On 23 April 2025, I decided, in accordance with subsection 90A(2) of the Act, to approve the Applicant's request to supply pharmaceutical benefits at the proposed premises.
13. An extract of the relevant legislation is at **Attachment A**.

Evidence taken into account

14. In considering the exercise of my discretion and making my decision, I took into account the contents of the Ministerial Submission and attached documents as outlined at paragraph 11.

Submissions by the Applicant

s38

d Ageing

s38

My Decision

21. I decided to approve the Applicant's request for approval to supply pharmaceutical benefits at s38
22. I decided to approve the Applicant's request because I was satisfied that the decision, made by a delegate of the Secretary, to not approve the Applicant would result in a community being left without reasonable access to pharmaceutical benefits supplied by an approved pharmacist, and that it was in the public interest to approve the Applicant.

s38

27. Accordingly, I decided to approve the Applicant's request because I was satisfied it met the criteria in subsection 90A(2) of the Act.



Mark Butler

28 May 2025

Encl: Attachment A: Extract of the relevant legislation

ATTACHMENT A

National Health Act 1953

Sections 90A and 90B of the Act provide as follows:

90A Minister may substitute decision approving pharmacist

- (1) This section applies in relation to a decision of the Secretary under section 90 rejecting an application by a pharmacist for approval to supply pharmaceutical benefits at particular premises, if:
 - (a) the application was made on or after 1 July 2006; and
 - (b) the decision was made on the basis that the application did not comply with the requirements of the relevant rules determined by the Minister under section 99L.
- (2) The Minister may substitute for the Secretary's decision a decision approving the pharmacist for the purpose of supplying pharmaceutical benefits at the particular premises if the Minister is satisfied that:
 - (a) the Secretary's decision will result in a community being left without reasonable access to pharmaceutical benefits supplied by an approved pharmacist; and
 - (b) it is in the public interest to approve the pharmacist.
- (3) For the purposes of subsection (2):

community means a group of people that, in the opinion of the Minister, constitutes a community.

reasonable access, in relation to pharmaceutical benefits supplied by an approved pharmacist, means access that, in the opinion of the Minister, is reasonable.
- (4) The power under subsection (2) may only be exercised:
 - (a) on request by the pharmacist made under section 90B; and
 - (b) by the Minister personally.
- (5) Subject to subsection 90B(5), the Minister does not have a duty to consider whether to exercise the power under subsection (2) in respect of the Secretary's decision.
- (6) The power under subsection (2) does not authorise the Minister to approve a pharmacist for the purpose of supplying pharmaceutical benefits at particular premises at which the pharmacist is not permitted, under the law of the State or Territory in which the premises are situated, to carry on business.
- (7) A decision by the Minister not to exercise the power under subsection (2) in respect of the Secretary's decision does not prevent the pharmacist from making an application to the Administrative Appeals Tribunal under subsection 105AB(7) for review of the Secretary's decision.
- (8) For the purposes of this section (other than subsection (7)):
 - (a) a reference to a decision of the Secretary includes a reference to a decision of the Secretary that has been affirmed by a decision of the Administrative Appeals Tribunal or an order of a federal court; and
 - (b) a reference to a decision of the Administrative Appeals Tribunal includes a reference to a decision of the Administrative Appeals Tribunal that has been affirmed by an order of a federal court.

90B Request to Minister to approve pharmacist

- (1) If section 90A applies to a decision of the Secretary under section 90 rejecting an application by a pharmacist, the pharmacist may, in writing, request the Minister to exercise the Minister's power under subsection 90A(2) in respect of the Secretary's decision.
- (2) The Minister may determine the form in which a request under subsection (1) must be made and, if the Minister does so, such a request must be made in that form.
- (3) A request under subsection (1) must be made:
 - (a) within 30 days after the pharmacist is notified of the Secretary's decision; or
 - (b) if the pharmacist has applied to the Administrative Appeals Tribunal for review of the Secretary's decision—within 30 days after:
 - (i) the pharmacist is given a copy of the Administrative Appeals Tribunal's decision affirming the Secretary's decision; or
 - (ii) the application has been discontinued, withdrawn or dismissed; or
 - (c) if the pharmacist has sought an order from a federal court in respect of the Secretary's decision or a decision of the Administrative Appeals Tribunal affirming the Secretary's decision—within 30 days after:
 - (i) the court has made an order affirming the Secretary's decision or the Administrative Appeals Tribunal's decision, as the case requires; or
 - (ii) the court proceeding has been discontinued, withdrawn or dismissed.
- (4) The Minister must, within 3 months after receiving a request under subsection (1), personally decide whether to consider the request. If the Minister has not made a decision within this period, the Minister is taken to have decided not to consider the request.
- (5) If the Minister decides to consider a request under subsection (1), the Minister must, within 3 months after making that decision, personally decide whether to exercise the power under subsection 90A(2) in respect of the Secretary's decision. If the Minister has not made a decision within this period, the Minister is taken to have decided not to exercise the power under subsection 90A(2) in respect of the Secretary's decision.
- (6) The Secretary must, by notice in writing, advise the pharmacist of:
 - (a) the decision made, or taken to have been made, by the Minister under subsection (4); and
 - (b) if applicable, the decision made, or taken to have been made, by the Minister under subsection (5).



Australian Government

Department of Health,
Disability and Ageing

Our ref: DP463

s38

s47F

Dear Pharmacy Owner

Request for a Statement of Reasons –s38

I refer to your request received on 8 May 2025 for a Statement of Reasons under subsection 13(1) of the *Administrative Decisions (Judicial Review) Act 1977* in relation to a decision made by the Minister for Health and Ageing on 23 April 2025 to exercise discretion to approve another pharmacist to supply pharmaceutical benefits at s38

Please find the Statement of Reasons attached. The Statement of Reasons sets out the findings on the material questions of fact, referring to the evidence or other material on which those findings were based, but does not include any information which must not be divulged under section 135A of the *National Health Act 1953*.

Yours sincerely

s47E(c), s47F

Ministerial Discretion Team
30 May 2025

Enc: Statement of Reasons

From: [90Apharmacy](#)
To: s47F
Subject: Notice of decision - Request for Ministerial discretion - s38 [SEC=OFFICIAL]
Date: Thursday, 12 October 2023 8:47:52 AM
Attachments: [image001.png](#)
[DP397 - Notice of Ministers decision to approve - s38 .pdf](#)
[PBS Certificate - s38 .pdf](#)
[Conditions for approved pharmacists.pdf](#)
[health05pbs-202209 - Notification of bank account details for an approved pharmacy.pdf](#)
[health03pbs-202209 - Authority to permit person\(s\) to enquire and/or sign claim forms on behalf of approved pharmacist\(s\).pdf](#)

Good morning Mr s47F

Please find attached correspondence in relation to your client's request to supply Pharmaceutical Benefits Scheme (PBS) medicines at s38

including:

- Notice of Minister's decision to approve – s38
- PBS Approval to Supply Certificate
- National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017

Please complete and return the following documents via the PBS Approved Suppliers Portal.

- Notification of bank account details for approved pharmacist form
- Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s) form

If you have questions in relation to the above, please email 90Apharmacy@health.gov.au.

Regards

s47E(c), s47F

Ministerial Discretion Team
Provider Support and Systems Branch

Benefits Integrity | Health Resourcing Group
 Australian Government, Department of Health and Aged Care
 E: 90Apharmacy@health.gov.au
 PO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present

Ref: DP397

s38

s47F

Dear Applicant(s)

Notice of Approval

I, David Evenden, delegate of the Secretary of the Department of Health and Aged Care (Department) for subsection 90B(6) of the *National Health Act 1953* (Act), am writing to notify you that on 9 October 2023, the Minister for Health and Aged Care (Minister), approved:

s38

to supply Pharmaceutical Benefits Scheme (PBS) medicines at:

s38

The approval number that has been allocated to your approval by the delegate of the Minister for regulation 16 of the National Health (Pharmaceutical Benefits) Regulations 2017 is s38. Please ensure that you reference this number on all official communications with us and when submitting PBS claims to Services Australia.

Enclosed is your 'Certificate of Approval' in respect of the above premises.

As the pharmacy is not yet open and trading, and we have not been provided with evidence of Victorian Pharmacy Authority (VPA) approval for you to operate a pharmacy business at the address in respect of which approval has been granted, your approval number has been deactivated until **20 November 2023**.

Once we receive evidence that the pharmacy is open and trading at the approved premises (photographs of the premises to demonstrate that they are open for trade must be provided) and the VPA has granted you approval to operate a pharmacy business at the approved premises, your approval will be re-activated. Please email this evidence to 90Apharmacy@health.gov.au.

Conditions of approval

It is important to note that this approval is subject to the conditions specified in section 92A of the Act, including those determined by the Minister under subsection 92A(1)(f) of the Act (refer to National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017 attached).

As your application was originally made under s38 of the National Health (Australian Community Pharmacy Authority Rules) Determination 2018 (Pharmacy Location Rules), it is subject to the restrictions applicable to that Item (see Item 313 of the Pharmacy Location Rules).

As the approved pharmacist, it is your responsibility to:

- understand and comply with any changes to the legislation in the supply of Pharmaceutical Benefits
- let us know of any changes that affect the supply of PBS medicines at the pharmacy premises
- notify us if changes occur to your pharmacy premises and/or the approved pharmacist/s.

Provision of bank account for PBS payments and authorising pharmacist(s) to submit claims

You will need to complete the following forms (attached) to enable payment of your PBS claims and/or to authorise a pharmacist to sign claim on your behalf:

- *Notification of bank account details for approved community pharmacist*
- *Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s)*

These forms must be returned via the PBS Approved Suppliers Portal accessible at www.pbsapprovedsuppliers.health.gov.au

Pharmacy landline

Once the pharmacy is open and trading, you will need to advise us of the pharmacy's landline by emailing: pbsapprovedsuppliers@health.gov.au

Online claiming for PBS

If you have not already done so, you must register your ABN and enter into a Recipient Created Tax Invoice Agreement with Services Australia (Medicare) for your new pharmacy approval number.

You will need to set-up in PRODA for PBS online claiming, including registering your organisation in PRODA, adding and linking to PBS Online with your new pharmacy approval number, and registering a B2B Device for claiming.

Information about online claiming, PRODA set-up and the required forms are available from Services Australia website at www.servicesaustralia.gov.au using the search term 'PBS online claiming'.

Ordering PBS stationery supplies

PBS stationery must be ordered through Health Professional Online Services (HPOS). To set up a HPOS account, you must:

- register for an individual PRODA account (employees should also register for an individual PRODA account if they don't yet have one)
- register your pharmacy as an organisation in PRODA
- link to the HPOS service in PRODA using the pharmacy approval number (administration number)

Please refer to the guide for ordering PBS stationery through HPOS available at www.servicesaustralia.gov.au/pbsstationery for further information.

Efficient Funding of Chemotherapy (EFC) arrangements

Should you wish to claim eligible EFC items you will need to obtain a Compounder ID for your pharmacy or the ID of the compounder used to prepare these medicines. More information on how to obtain a Compounder ID can be found at www.ccpsagency.com.au/compounderform.pdf

Community Pharmacy Programs

Please ensure that you advise the Pharmacy Program Administrator, the organisation responsible for administering Community Pharmacy Programs funded under the Seventh Community Pharmacy Agreement, of any changes to your PBS approval number.

If you have any questions, please email 90Apharmacy@health.gov.au.

Yours sincerely

s47E(c), s47F



David Evenden
 Delegate of the Secretary of the Department of Health and Aged Care
 11 October 2023

Attachments

Certificate of Approval

National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists)
 Determination 2017

Notification of bank account details for approved pharmacist form

*Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s)
 form*



Australian Government

Department of Health and Aged Care

Approval to Supply Pharmaceutical Benefits

National Health Act 1953

s38

with approval number:
trading as:

s38

s38

has approval to supply pharmaceutical benefits at the premises situated at:

s38

effective from the **9th day of October in the year 2023**

s47F

11 October 2023

Signature

Date

Delegate, Department of Health and Aged Care

From: [90Apharmacy](#)
To: s47F
Subject: Notice of decision - Request for Ministerial discretion - s38 [SEC=OFFICIAL]
Date: Friday, 30 June 2023 8:45:36 AM
Attachments: [image001.png](#)
[MD390 - Notice of decision by Minister - s38 .pdf](#)
[s38 - PBS Certificate.pdf](#)
[Conditions for approved pharmacists.pdf](#)
[health05pbs-202209 - Notification of bank account details for an approved pharmacy.pdf](#)
[health03pbs-202209 - Authority to permit person\(s\) to enquire and/or sign claim forms on behalf of approved pharmacist\(s\).pdf](#)

Good morning Mr s47F

Please find attached correspondence in relation to your client's request to supply Pharmaceutical Benefits Scheme (PBS) medicines at s38

including:

- Notice of Minister's decision to approve – s38
- PBS Approval to Supply Certificate
- National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017

Please complete and return the following documents via the PBS Approved Suppliers Portal.

- Notification of bank account details for approved pharmacist form
- Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s) form

If you have questions in relation to the above, please email 90Apharmacy@health.gov.au.

Regards

s47E(c), s47F

Ministerial Discretion Team
Provider Support and Systems Branch

Benefits Integrity | Health Resourcing Group
 Australian Government, Department of Health and Aged Care
 E: 90Apharmacy@health.gov.au
 PO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present

Our Ref: DP390
Your Ref: ATC:HM:130645-14(2)

s38
s47F

Dear Applicant

Notice of Approval

I, Harry Rothenfluh, delegate of the Secretary of the Department of Health and Aged Care (Department) for subsection 90B(6) of the *National Health Act 1953* (Act), am writing to notify you that on **26 June 2023**, the Minister for Health and Aged Care (Minister), approved:

s38

to supply Pharmaceutical Benefits Scheme (PBS) medicines at:

s38

The approval number that has been allocated to your approval by the delegate of the Minister for regulation 16 of the *National Health (Pharmaceutical Benefits) Regulations 2017* is s38. Please ensure that you reference this number on all official communications with us and when submitting PBS claims to Services Australia.

Enclosed is your 'Certificate of Approval' in respect of the above premises.

As the premises is not open and trading, and we have not been provided with evidence of approval from the relevant state or territory pharmacy authority to operate a pharmacy business at the address in respect of which approval has been granted, your approval number has been deactivated until **7 August 2023**.

Once we receive evidence the approved premises is open and trading (photographs of the premises open for trade must be provided) and the relevant state or territory pharmacy authority has granted you approval to operate a pharmacy business at the approved premises, your approval will be re-activated. Please email this evidence to 90Apharmacy@health.gov.au.

Conditions of approval

It is important to note that this approval is subject to the conditions specified in section 92A of the Act, including those determined by the Minister under subsection 92A(1)(f) of the Act (refer to *National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists) Determination 2017* attached).

As your application was originally made under s38 of the *National Health (Australian Community Pharmacy Authority Rules) Determination 2018* (Pharmacy Location Rules), it is subject to the restrictions applicable to that Item (see Item 313 of the Pharmacy Location Rules).

As the approved pharmacist, it is your responsibility to:

- understand and comply with any changes to the legislation in the supply of Pharmaceutical Benefits
- let us know of any changes that affect the supply of PBS medicines at the pharmacy premises
- notify us if changes occur to your pharmacy premises and/or the approved pharmacist/s.

Provision of bank account for PBS payments and authorising pharmacist(s) to submit claims

You will need to complete the following forms (attached) to enable payment of your PBS claims and/or to authorise a pharmacist to sign claim on your behalf:

- *Notification of bank account details for approved community pharmacist*
- *Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s)*

These forms must be returned via the PBS Approved Suppliers Portal accessible at www.pbsapprovesuppliers.health.gov.au

Pharmacy landline

Once the pharmacy is open and trading, you will need to advise us of the pharmacy's landline by emailing: pbsapprovesuppliers@health.gov.au

Online claiming for PBS

If you have not already done so, you must register your ABN and enter into a Recipient Created Tax Invoice Agreement with Services Australia (Medicare) for your new pharmacy approval number.

You will need to set-up in PRODA for PBS online claiming, including registering your organisation in PRODA, adding and linking to PBS Online with your new pharmacy approval number, and registering a B2B Device for claiming.

Information about online claiming, PRODA set-up and the required forms are available from Services Australia website at www.servicesaustralia.gov.au using the search term 'PBS online claiming'.

Ordering PBS stationery supplies

PBS stationery must be ordered through Health Professional Online Services (HPOS). To set up a HPOS account, you must:

- register for an individual PRODA account (employees should also register for an individual PRODA account if they don't yet have one)
- register your pharmacy as an organisation in PRODA
- link to the HPOS service in PRODA using the pharmacy approval number (administration number)

Please refer to the guide for ordering PBS stationery through HPOS available at servicesaustralia.gov.au/pbsstationery for further information.

Efficient Funding of Chemotherapy (EFC) arrangements

Should you wish to claim eligible EFC items you will need to obtain a Compounder ID for your pharmacy or the ID of the compounder used to prepare these medicines. More information on how to obtain a Compounder ID can be found at www.ccpsagency.com.au/compounderform.pdf

Community Pharmacy Programs

Please ensure that you advise the Pharmacy Program Administrator, the organisation responsible for administering Community Pharmacy Programs funded under the Seventh Community Pharmacy Agreement of any changes to your PBS approval number.

If you have any questions, please email 90Apharmacy@health.gov.au.

Yours sincerely

s47E(c), s47F



Harry Rothenfluh PhD
Delegate of the Secretary of the Department of Health and Aged Care
29 June 2023

Attachments

Certificate of Approval

*National Health (Pharmaceutical Benefits) (Conditions for approved pharmacists)
Determination 2017*

Notification of bank account details for approved pharmacist form

Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s) form

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing



Australian Government

Department of Health and Aged Care

Approval to Supply Pharmaceutical Benefits

National Health Act 1953

s38

with approval number: s38
trading as:

s38

has approval to supply pharmaceutical benefits at the premises situated at:

s38

effective from the **26th day of June in the year 2023**

s47F

29 June 2023

Signature

Date

Delegate, Department of Health and Aged Care

From: [90Apharmacy](#)
To: s47F
Subject: DP382 - Notice of decision - Request for Ministerial discretion - s38
Date: Friday, 26 May 2023 3:45:26 PM
Attachments: [image001.png](#)
[MD382 - Notice of decision by Minister - s38 .pdf](#)
[s38 - PBS Certificate.pdf](#)
[health05pbs-202209 - Notification of bank account details for an approved pharmacy.PDF](#)
[health03pbs-202209 - Authority to permit person\(s\) to enquire and/or sign claim forms on behalf of approved pharmacist\(s\).PDF](#)

Good afternoon Mrs s47F

Please find attached correspondence in relation to your request to supply Pharmaceutical Benefits Scheme (PBS) medicines at s38 including:

- Notice of Minister's decision to approve – s38
- Certificate of Approval

Please complete and return the following documents via the PBS Approved Suppliers Portal.

- Notification of bank account details for approved pharmacist form
- Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s) form

If you have questions in relation to the above, please email 90Apharmacy@health.gov.au.

Regards

s47E(c), s47F

Ministerial Discretion Team
Provider Support and Systems Branch

Benefits Integrity Division | Health Resourcing Group
 Australian Government, Department of Health and Aged Care
 E: 90Apharmacy@health.gov.au
 PO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing

Ref: DP382

s47F

Dear Applicant

Notice of Approval

I, Harry Rothenfluh, delegate of the Secretary of the Department of Health and Aged Care (department) for subsection 90B(6) of the *National Health Act 1953* (Act), am writing to notify you that on 23 May 2023, the Minister for Health and Aged Care, the (Minister), approved:

s38

to supply Pharmaceutical Benefits Scheme (PBS) medicines at:

s38

The approval number that has been allocated to your approval by the delegate of the Minister for regulation 16 of the *National Health (Pharmaceutical Benefits) Regulations 2017* is s38. Please ensure that you reference this number on all official communications with us and when submitting PBS claims to Services Australia.

Enclosed is your 'Certificate of Approval' in respect of the above premises.

As the premises is not open and trading, and we have not been provided with evidence of approval from the Tasmanian Pharmacy Authority to operate a pharmacy business at the address in respect of which approval has been granted, your approval number has been deactivated until **4 July 2023**.

Once we receive evidence the approved premises is open and trading (photographs of the premises open for trade must be provided) and the Tasmanian Pharmacy Authority has granted you approval to operate a pharmacy business at the approved premises, your approval will be re-activated. Please email this evidence to 90Apharmacy@health.gov.au.

Conditions of approval

It is important to note that this approval is subject to the conditions specified in section 92A of the Act, including those determined by the Minister under subsection 92A(1)(f) of the Act (refer to *National Health (Pharmaceutical Benefits) (Conditions of approval for approved pharmacists) Determination 2017*).

As your application was originally made under s38 of the *National Health (Australian Community Pharmacy Authority Rules) Determination 2018* (Pharmacy Location Rules), it is subject to the restrictions applicable to that Item (see Item 313 of the Pharmacy Location Rules).

As the approved pharmacist, it is your responsibility to:

- understand and comply with any changes to the legislation in the supply of Pharmaceutical Benefits
- let us know of any changes that affect the supply of PBS medicines at the pharmacy premises
- notify us if changes occur to your pharmacy premises and/or the approved pharmacist/s.

Provision of bank account for PBS payments and authorising pharmacist(s) to submit claims

You will need to complete the following forms (attached) to enable payment of your PBS claims and/or to authorise a pharmacist to sign claim on your behalf:

- *Notification of bank account details for approved community pharmacist*
- *Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s)*

These forms must be returned via the PBS Approved Suppliers Portal accessible at www.pbsapprovedsuppliers.health.gov.au

Once the pharmacy is open and trading, you will need to advise us of the pharmacy's landline by emailing: pbsapprovedsuppliers@health.gov.au.

Online claiming for PBS

If you have not already done so, you must register your ABN and enter into a Recipient Created Tax Invoice Agreement with Services Australia (Medicare) for your new pharmacy approval number.

You will need to set-up in PRODA for PBS online claiming, including registering your organisation in PRODA, adding and linking to PBS Online with your new pharmacy approval number, and registering a B2B Device for claiming.

Information about online claiming, PRODA set-up and the required forms are available from Services Australia website at www.servicesaustralia.gov.au using the search term 'PBS online claiming'.

Ordering PBS stationery supplies

PBS stationery must be ordered through Health Professional Online Services (HPOS). To set up a HPOS account, you must:

- register for an individual PRODA account (employees should also register for an individual PRODA account if they don't yet have one)
- register your pharmacy as an organisation in PRODA
- link to the HPOS service in PRODA using the pharmacy approval number (administration number)

Please refer to the guide for ordering PBS stationery through HPOS available at servicesaustralia.gov.au/pbsstationery for further information.

Efficient Funding of Chemotherapy (EFC) arrangements

Should you wish to claim eligible EFC items you will need to obtain a Compounder ID for your pharmacy or the ID of the compounder used to prepare these medicines. More information on how to obtain a Compounder ID can be found at www.ccpsagency.com.au/compounderform.pdf

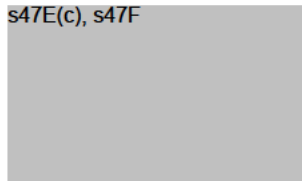
Community Pharmacy Programs

Please ensure that you advise the Pharmacy Program Administrator, the organisation responsible for administering Community Pharmacy Programs funded under the Seventh Community Pharmacy Agreement, of any changes to your PBS approval number.

If you have any questions, please email 90Apharmacy@health.gov.au.

Yours sincerely

s47E(c), s47F



Harry Rothenfluh PhD
Delegate of the Secretary of the Department of Health and Aged Care
26 May 2023

Attachments

Certificate of Approval

Notification of bank account details for approved pharmacist form

Authority to authorise pharmacist(s) to sign claim forms on behalf of approved pharmacist(s) form

Released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing