

appropriate court to test the ambit of such power. The Committee does not believe the power to allocate work should be used to effect the de facto suspension of a tribunal member'; and

- 'A member of a tribunal who is deprived of work is entitled to receive reasons from the president of the tribunal for such a decision'.

National Health Regulations

The National Health (Pharmaceutical Benefits) Regulations (Amendment) Statutory Rules 1989 No 330 were tabled in the Senate on 14 December 1989. The new Regulations amended aspects of the 'Safety Net' provisions of the Pharmaceutical Benefits Scheme to 'enhance financial control of the scheme, add further information to prescription record forms and entitlement cards and limit the potential for hoarding or squirreling of drugs towards the end of a Safety Net year'. The Regulations were tabled by an Opposition member, Senator Patterson. On 22 December 1989, on the motion of Senator Puplick, the Senate disallowed the Regulations. Senator Puplick's main reasons for this were the way in which they were processed in the Senate; the lack of proper consultation with the pharmacy profession; and a failure to provide adequately for emergency situations in a way which would allow patients the maximum degree of flexibility in the management of their own health care concerns.

Subordinate legislation: Parliamentary approval

The Therapeutic Goods Bill 1989 was introduced into Parliament on 5 October 1989. Parliament passed the Bill subject to an amendment that the Act does not commence until the day after Parliament approves regulations under the Act.

Parliament also passed the Community Services and Health Legislation Amendment Bill (No. 2) 1989 with amendments in respect of certain instruments to be made under the National Health Act 1953 and the Aged and Disabled Persons Homes Act 1954. Under the latter Act, for example, a 'Charter of Residents' Rights and Responsibilities' is to be drawn up. The amendments made by Parliament provide that such instruments do not take effect until 15 days after tabling in Parliament, where Parliament does not wish to amend them, or where Parliament wishes to amend them, until approved by Parliament.

Provision for Parliamentary approval of a subordinate instrument, subject to amendments, appears to be a novel development.

R E C E N T P U B L I C A T I O N S

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