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Dr Robert Harrison
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Ref: H201603006

Dear Dr Harrison

Thank you for your emailed letter of 22 July 2016 requesting official information. You asked several questions, which I have outlined and responded to below.

- 1) *The total number of pharmacies licenced in New Zealand.*
- 2) *The names and addresses of the pharmacies.*

There are 1043 licensed pharmacies in New Zealand as of 15 August 2016. The attached electronic spreadsheet lists the names of the licensed pharmacies and their addresses.

- 3) *The directors, shareholders, and/or owners of the pharmacies.*

This information is publically available on the New Zealand Companies website <https://www.business.govt.nz/companies/learn-about/searchingcom>.

- 4) *The total number of government subsidised-prescriptions dispensed for the 5 years ending March 2016 (2015 if 2016 is too recent).*
- 5) *The number of government subsidised-prescriptions dispensed in the top five pharmacies (in terms of number of dispensings.)*
- 6) *(5) need not provide names of pharmacies if privacy/business interest concerns.*

Number of items of government funded community dispensed pharmaceuticals for the top five pharmacies and all New Zealand, for the 5 years up to 31 March 2016:

Source: Ministry of Health Pharmaceutical Collection extracted 26 July 2016

Pharmacy	Number of prescription items
A	1,472,597
B	1,129,572
C	1,032,001
D	1,028,195
E	912,459
Total for top 5	5,574,824
NZ Total	214,847,556

Notes:

1. The top five pharmacies are those with the largest number of items dispensed in the period.
2. Each pharmacy premises must be individually licenced, however some pharmacy companies make a single claim for more than one premises.
3. This data does not include repeats.

The names of the top five pharmacies are withheld under section 9(2)(b)(ii) of the OIA to protect information where the making of the information would be likely to unreasonably prejudice the commercial position of the person who supplied it.

- 7) *Number of pharmacies that are owned by a pharmacist without an APC.*
- 8) *for 7) the names of these pharmacies.*

In 2010 the Licensing Authority, after consultation with pharmacists and pharmacy organisations, advised that to meet the pharmacy ownership requirements under the Medicines Act 1984 (the Act), the pharmacist or pharmacists that own more than 50% of the share capital in a company operating a pharmacy must have an APC.

The Ministry of Health's (the Ministry's) view is that the meaning of a pharmacist in the context of the Act, the Medicines Regulations 1984 and the Health Practitioners Competence Assurance (HPCA) Act 2003 requires that the pharmacist is a practitioner. The HPCA Act states that no person can practise as a health practitioner unless they hold a current practising certificate.

The change took effect on 1 September 2010 for all applications for a new pharmacy or change of ownership. From 1 April 2011, all applications for a Licence to Operate Pharmacy from currently licensed pharmacies had to meet this requirement.

If a pharmacist loses their APC, for example following Health Practitioner Disciplinary Tribunal action, they must relinquish their ownership of any pharmacies in which they hold, or comprise part of, the majority pharmacist ownership. Conditions imposed on an APC by the Pharmacy Council are considered by the Licensing Authority on a case by case basis when assessing licence applications.

The Ministry is not aware of any pharmacies owned by pharmacists without an APC.

- 9) *The names and quantity of registered medical practitioners being a director, shareholder or somewhat related party to the ownership of pharmacy.*

Applicants for a licence to operate pharmacy are required to disclose if there is an interest held by prescriber in the pharmacy. Information is provided on the type of positions considered as holding an interest.

If the Licensing Authority is advised, or otherwise becomes aware of a prescriber interest they may only issue a licence if they are satisfied that there are sufficient safeguards to prevent the provision of prescriptions and healthcare being influenced by the commercial or financial interest of the prescriber as detailed in section 42C of the Act.

The Licensing Authority may impose further conditions on the licence as an additional safeguard and this is the procedure currently followed. A licence condition is added stating “no prescriptions or other medicine orders may be filled, dispensed or supplied by X Pharmacy Limited where the prescription or other medicine order has been prescribed, written or issued by an authorised prescriber who holds an interest (as defined by the Medicines Act) in this Company”.

Currently nine pharmacies have this condition on their Licence to Operate Pharmacy.

As previously advised, the names of directors and shareholders are publically available on the New Zealand Companies website.

The names of registered medical practitioners who are “somewhat related parties” are not available in an accessible electronic format. To access this information requires that the data held for each licensed pharmacy is individually searched. This part of the request is refused under section 18(f) as the information cannot be made without substantial collation or research.

You have the right to ask the Ombudsman to investigate and review my decision on this request.

Yours sincerely



Phil Knipe
Acting Director
Protection, Regulation and Assurance