

Summary of Underpinning Analysis: Pharmacy Council of New Zealand Scopes of Practice and Prescribed Qualifications Amendment Notice 2026

Agency responsible	Pharmacy Council of New Zealand Te Pou Whakamana Kaimatū o Aotearoa
Portfolio	Minister of Health
Date finalised	6 August 2026
Identification Number	2026-sl4394

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation

Inconsistency identified? NO

Summary of agency analysis

Between March and April 2026, the Pharmacy Council of New Zealand (Council) undertook a formal public consultation on proposed amendments to the registration pathways contained in the Pharmacy Council Scopes of Practice and Prescribed Qualifications Notice. The consultation was made available to a broad range of stakeholders, including those likely to be directly and materially affected by any changes, and submissions were received from a variety of interested parties.

The Council considered all feedback received through a structured process that included analysis of submissions, preparation of summaries of and responses to feedback, Council deliberation, and formal recording of decisions on which aspects of changes would progress, and which would not. The Council is satisfied that consultation was undertaken to the extent reasonably practicable and that affected persons and representative groups were provided with a meaningful opportunity to contribute to the development of the proposed amendments. Accordingly, no inconsistency has been identified in relation to 9(i).

Good law-making: 9(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and
- any options (including non-legislative options) that are reasonably available for addressing the issue; and
- who is likely to benefit, and who is likely to suffer a detriment, from the legislation

Inconsistency identified?

NO

Summary of agency analysis

The Council carefully considered the issue of barriers and inefficiencies within current registration pathways and reviewed the effectiveness of existing registration requirements and prescribed qualification settings. The proposed changes are intended to support more efficient and accessible registration processes where reasonably practical while maintaining the Council's primary objective of protecting public health and safety.

The Council also considered the public interest, explored a range of options through the consultation process, and sought feedback on alternative registration pathway approaches. Affected stakeholders, including graduates, overseas-qualified pharmacists, pharmacist prescribers, professional bodies, other responsible authorities, employers, and members of the public, were provided with an opportunity to comment on the proposals and their potential impacts. Accordingly, no inconsistency has been identified in relation to 9(j).

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation

Inconsistency identified?

NO

Summary of agency analysis

In developing the proposed amendments for consultation, the Council considered the intent of the changes, potential risks associated with the option and the practical arrangements that would be required for their implementation. The consultation process included the options that were feasible and practical. Feedback received through consultation also assisted in identifying implementation considerations and potential areas of risk which were taken into consideration when reviewing feedback and if changes would proceed.

The Council has considered the operational changes required to give effect to the amendments, including the need for updates to policies, procedures, guidance materials, application forms, website content, and internal systems. The resources and

process changes required to support implementation have been identified and budgeted for and will be incorporated into existing operational arrangements. Accordingly, no inconsistency has been identified in relation to 9(k).

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons

Inconsistency identified?

NO

Summary of agency analysis

The expected benefits of the proposed amendments outweigh any associated costs. The Health Practitioners Competence Assurance Act 2003 ([s13](#)) already requires prescribed qualifications and registration requirements to be necessary for the protection of the public, not impose unnecessary restrictions on registration, and not create undue costs for applicants. The proposed changes are consistent with these principles and are intended to reduce barriers and inefficiencies in registration pathways while maintaining appropriate safeguards for public safety.

The amendments will provide greater recognition of relevant overseas qualifications and experience, reduce unnecessary duplication of training or assessment requirements, and lessen the time and cost burden on eligible comparable jurisdiction applicants seeking registration. At the same time, public safety will continue to be protected through registration requirements, policies around supervision arrangements, competence expectations, and other regulatory safeguards. The changes are expected to support workforce supply and improve access to qualified pharmacists, benefiting both the profession and the wider health system. Accordingly, it is anticipated benefits of the amendments exceed any associated costs; therefore, no inconsistency has been identified in relation to 9(l).

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available

Inconsistency identified?

NO

Summary of agency analysis

The proposed amendments represent the most effective, efficient, and proportionate response to the issues identified with the current registration pathways. The core regulatory safeguards necessary to protect public safety are retained, including qualification requirements, experience requirements, overseas registration and good standing checks, and examination or assessment requirements where appropriate. The amendments do not alter the Council's regulatory objective of ensuring that only suitably qualified and competent practitioners are registered.

At the same time, the amendments reduce unnecessary barriers, and create more streamlined and accessible registration pathways for eligible applicants. The amendments represent the most effective and efficient means available to achieve the intended regulatory objectives. Accordingly, no inconsistency has been identified in relation to 9(m).

Rule of Law: 9(a)(i)

The law should be clear and accessible

Inconsistency identified? NO

Summary of agency analysis

The amended Notice is clear and accessible. As part of the review process, alongside including the changes to prescribed qualifications/requirements as needed, the overall Notice was revised with editorial changes to improve its overall structure, readability, and usability. The amendments consolidate previous Notice amendments into a single document, used more plain language, easy to read formatting and making it easier for applicants and other stakeholders to identify and understand the requirements that apply to them.

The revised drafting, organisation, and presentation of the Notice improve the clarity of registration requirements and make the legislation more straightforward to navigate. Alongside the Gazette Notice itself, supporting information will also be publicly available on Council's website helping applicants understand the relevant pathways and requirements. Accordingly, no inconsistency has been identified in relation to 9(a)(i).

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Rule of Law: 9(a)(iii)

Every person is equal before the law

Inconsistency identified? NO

Summary of agency analysis

The amended Notice sets out clear eligibility criteria and prescribed qualification requirements for the various registration pathways. While the specific requirements differ between pathways to reflect applicants' qualifications, training, experience, and professional background, the requirements applicable to each pathway are transparent,

objective, and applied consistently to all applicants seeking registration through that pathway.

The amendments do not confer special rights, privileges, or exemptions on any individual or group. Rather, they recognise that applicants may present different qualifications, experience, and evidence of competence, and therefore require different pathways and assessment requirements to appropriately assess whether they meet the standard required for registration. All applicants must provide evidence that they satisfy the prescribed qualifications/requirements for their pathway and are assessed against the same criteria and policies applicable to that pathway. In addition, all applicants must meet the statutory requirements for registration and fitness for registration under sections 15 and 16 of the Health Practitioners Competence Assurance Act 2003. Accordingly, no inconsistency has been identified in relation to section 9(a)(iii).

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person

Inconsistency identified? NOT APPLICABLE

Summary of agency analysis

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless-

- there is a good justification for the taking or severe impairment; and

- **fair compensation for the taking or severe impairment is provided to the owner; and**
- **the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment**

Inconsistency identified?

NOT APPLICABLE

Summary of agency analysis

Taxes, fees and levies: 9(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1996 (Parliamentary control of taxation)

Inconsistency identified?

NOT APPLICABLE

Summary of agency analysis

Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates

Inconsistency identified?

NOT APPLICABLE

Summary of agency analysis

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both—

- **the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and**
- **the costs of efficiently achieving the objective or providing the function**

Inconsistency identified?

NOT APPLICABLE

Summary of agency analysis

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation

Inconsistency identified?

NOT APPLICABLE

Summary of agency analysis

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review

Inconsistency identified?

NOT APPLICABLE

Summary of agency analysis

Additional information

Relevant publicly available inquiry, review, or evaluation reports

[Consultations - Pharmacy Council NZ - Public Site](#) - Proposed changes to the Recognised Equivalent and non-Recognised Equivalent Qualification Routes.

This is the consultation document for proposing possible changes to registration pathways. This includes the consultation document and summary of responses/feedback received and reviewed and results following the consultation.

Relevant international treaties, standards and obligations

Departures from the Legislation Guidelines

Other unusual provisions or features