

# ELIGIBILITY CERTIFICATES, EXEMPTIONS & ANNUAL RENEWALS

## SOME POSSIBLE EXAMPLES

**NB:** No person, company, trust or any part thereof, can hold an interest in more than **four pharmacies** in Tasmania at one time. **ATF = As Trustee For**

**MARY:** holds interests in three pharmacies, but will need **two** (individual) Eligibility Certificates – one in the name of “Mary” (Pharmacy B and E) and one in the name of “Mary ATF the Pear Trust” (Pharmacy D).

**DAVID** holds interests in four pharmacies but needs **no** individual Eligibility Certificate, as he is exempt in all cases – as a shareholder of Red Pty Ltd (Pharmacies A & B), SOS Pty Ltd ATF the Apple Trust (Pharmacy E) & of Blue Pty Ltd ATF the Blue Unit Trust (Pharmacy F). He owns some of pharmacy B both individually *and* as a shareholder of Red Pty Ltd, but he is exempt for Pharmacy B due to Red Pty Ltd holding an Eligibility Certificate for that pharmacy.

**RED PTY LTD:** Has interests in 2 pharmacies (A and B) and will hold an Eligibility Certificate in the name of Red Pty Ltd.

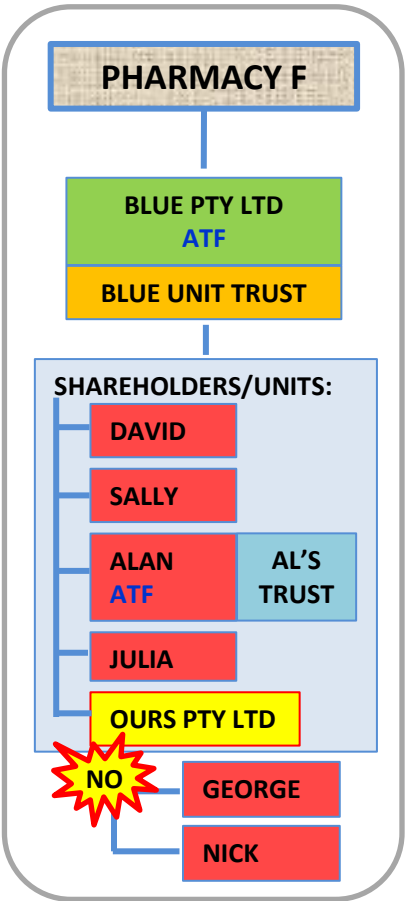
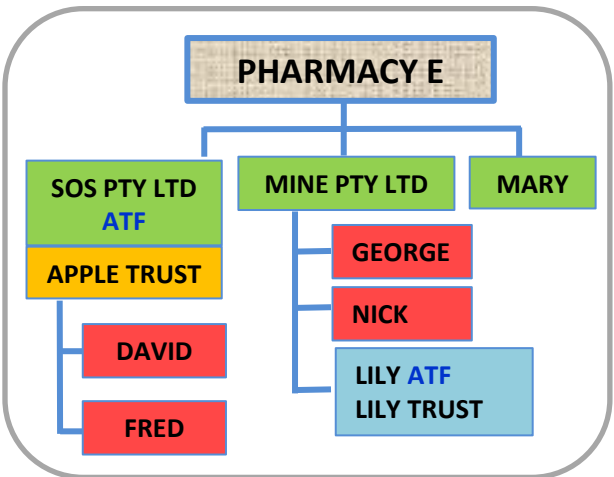
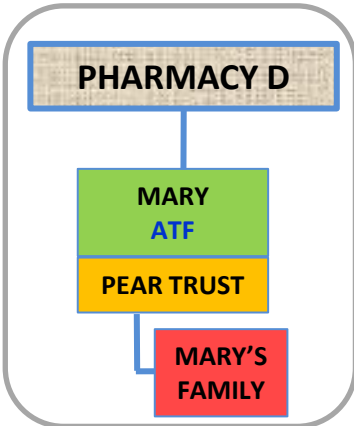
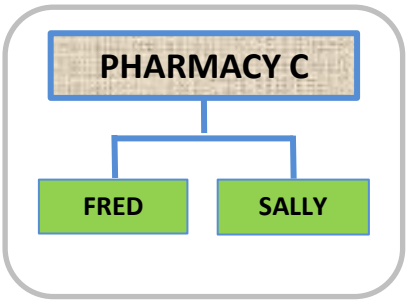
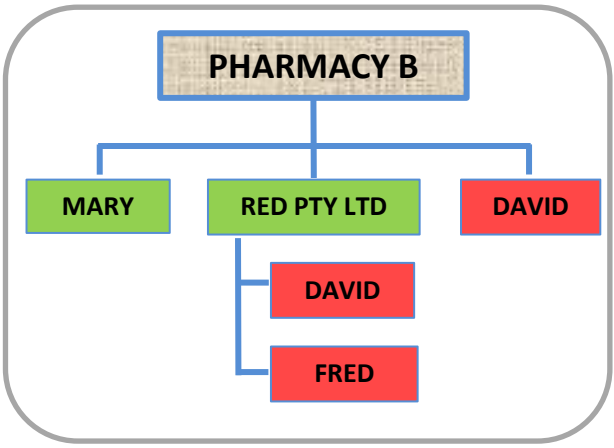
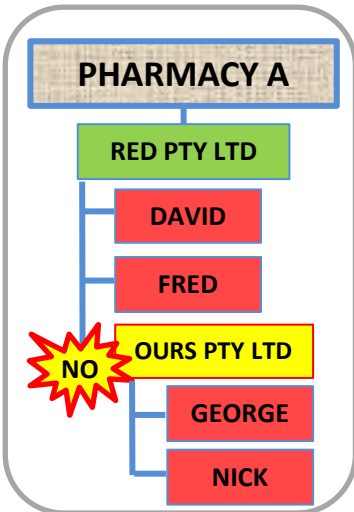
**FRED** has interests in 4 pharmacies; he is exempt in three (by virtue of being a shareholder of Red Pty Ltd and SOS Pty Ltd) but will need an individual Eligibility Certificate issued to “Fred” for his interest in Pharmacy C.

**SALLY** is exempt (as a shareholder in Blue Pty Ltd) from needing an Eligibility Certificate for Pharmacy F, but will need to hold an individual Eligibility Certificate for Pharmacy C.

**LILY** is a trustee shareholder in Mine Pty Ltd, which holds the Eligibility Certificate. Lily ATF Lily Trust will need to make an **Annual Exempt Declaration**.

**Al’s Trust** is not the holding entity of Pharmacy F, so the Eligibility Certificate issued to Blue Pty Ltd ATF Blue Unit Trust exempts Alan from needing his own Eligibility Certificate ATF Al’s Trust. To ensure Al’s Trust continues to operate in accordance with the requirements of section 61C(2) of the Act, an **Annual Exempt Declaration** by Alan (as the trustee) is required.

**OURS PTY LTD cannot be a shareholder of Blue Pty Ltd or Red Pty Ltd, as shareholders must be pharmacists or close relatives per section 61C(1)(c).** Nick and George could be **individual** (ie: not through another body corporate) shareholders of Red Pty Ltd and Blue Pty Ltd for Pharmacies A and F respectively (in the way the David and Fred are in Pharmacy A, for example.)



ELIGIBILITY CERTIFICATE REQUIRED	ELIGIBILITY CERTIFICATE NOT REQUIRED - EXEMPT
ELIGIBILITY CERTIFICATE NOT REQUIRED. IF EC NEEDED IT IS ISSUED IN THE NAME OF THE TRUSTEE ATF TRUST NAME	
ELIGIBILITY CERTIFICATE NOT REQUIRED; IT’S NOT THE HOLDING ENTITY. ANNUAL EXEMPT DECLARATION NEEDED	
<b>NO</b> <b>NOT ALLOWED!</b> THIS CONTRAVENES 61C(1)(c) OF THE PHARMACY CONTROL ACT. A company cannot be a shareholder/hold shares in another company. All shareholders <b>MUST BE</b> either pharmacists or close relatives (as defined).	