

Pharmacy Insights

Pharmacy relocation – tips for navigating the critical steps

The need to relocate an existing pharmacy can arise for a variety of reasons. Meridian has recently advised pharmacies moving within the same shopping centre (for example, to take advantage of a larger sized shop), and a pharmacy in a medical centre moving to a new location along with the medical practice.

While moving from one location to another may sound simple, in reality there are a series of essential and sometimes complex steps to be taken in order to achieve a successful pharmacy relocation.

The relocation of a pharmacy is governed by the Pharmacy Location Rules. A pharmacy cannot be relocated without approval from the Australian Community Pharmacy Authority (ACPA).

It is important to have a project plan and a well thought through timeline for all of the necessary steps.

These steps may include:

- negotiation and execution of a lease of the new proposed premises (with appropriate conditions precedent and termination clauses to protect the pharmacist in case the relocation is not approved by regulatory bodies);
- renegotiation and variation of any banner or franchise agreement;
- application for the approval of the State pharmacy regulatory authority; and
- application to the Australian Community Pharmacy Authority (**ACPA**) for approval of the relocation of the pharmacy.

In our experience, every relocation is unique and each one faces its own challenges.

Our advice is to start the relocation process as early as you can. Seek advice early on to identify whether your proposed new premises fit within the requirements of the applicable Pharmacy Location Rule and determine what evidence is available to accompany your application for ACPA approval. Required evidence, such as development approvals, plans and statutory declarations can sometimes be difficult to obtain.

The evidential requirements for relocation applications are strict, and detailed, and it may assist applications to have a covering letter explaining:

- 1) the various requirements of the applicable Pharmacy Location Rules;
- 2) how they are met in the case of the proposed premises; and
- 3) and clearly directing the ACPA to the particular pieces of evidence which demonstrate that the requirement is met.

For more information or advice regarding the relocation of a pharmacy or the application for approval of a new pharmacy please contact [Georgina Odell](mailto:godell@meridianlawyers.com.au) (Sydney) or [Mark Fitzgerald](mailto:mfitzgerald@meridianlawyers.com.au) (Melbourne).



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