

SUBMISSION

AMA submission to Public Governance, Performance and Accountability Amendment (Vaccine Indemnity) Bill 2023

September 2023

The AMA does not support this bill nor any other amendments to the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) that would restrict Australia's ability to procure vaccines.

Vaccine indemnity was essential to Australia securing contracts with vaccine suppliers. The advance purchasing agreements for COVID-19 vaccines ensured that Australia was able to enter contracts with a range of vaccine suppliers and run what was ultimately one of the most successful COVID-19 vaccine rollouts globally.

The AMA fundamentally disagrees with the following statement from the explanatory memorandum:

"Indemnification has created an incentive for risk-taking in the pharmaceutical industry which is not aligned with the fundamental principles of medicine."

There is inherent risk in medicine and providing medical care. This risk varies significantly across diseases and the medical response. The health profile of an individual is usually a factor of that risk. Stating that indemnity encourages greater risk-taking by the pharmaceutical industry is incorrect — the reality is that it facilitates medical care where risk already exists by spreading that risk.

In the case of vaccines, providing indemnity to vaccine manufacturers ensures that there is an acceptable level of risk for pharmaceutical companies researching and developing vaccines.

All vaccines must still be assessed and approved by the Therapeutic Goods Administration (TGA) before they can be administered in Australia. The AMA supports the TGA and their work in establishing the safety and efficacy of vaccines and other therapeutics in Australia. The TGA is a world-leading medicines regulator and is transparent in its decision-making processes and in [reporting of adverse events](#).

It is also important to note that people who are [injured by vaccines are able to claim and receive support](#).

The AMA reiterates that Australia had a successful vaccine rollout and that the COVID-19 vaccines continue to save lives. Australia's GPs led the COVID-19 vaccine rollout and despite a slow start, 90.2 per cent of people aged 12 or over were double vaccinated by 31 December

2021,¹ and 95 per cent of Australians aged 16 and over were fully vaccinated in March 2022.² This is despite widely spread conspiracy theories and misinformation about the risks associated with the vaccines. The AMA was pleased that the overwhelming majority of Australians saw through the misinformation and relied on the advice of the medical and scientific experts.

Australia's vaccination program has been demonstrated to have delivered a positive economic difference of almost \$181 billion,³ and estimates from the first year of the vaccine rollout put global lives saved at 14.4 million.⁴ Providing indemnity through the advanced purchasing agreements ensured Australian lives were saved and that our economy began to recover more quickly.

Vaccines save lives and they help people live healthier lives. We strongly encourage all Australians to make sure they are up to date with their COVID vaccines, particularly as new waves are circulating and in acknowledgement of the emerging evidence that vaccines prevent Long COVID.⁵

¹ ANAO, 2022, [Australia's COVID-19 Vaccine Rollout](#), Auditor-General Report No. 3 2022–23 Performance Audit.

² Department of Health and Aged Care, [Vaccination numbers and statistics, 23 March 2022](#).

³ Fox et al., 2022, [The Value of Vaccines: A Tale of Two Parts](#), *Vaccines*.

⁴ Watson et al., September 2022, [Global impact of the first year of COVID-19 vaccination: a mathematical modelling study](#), *The Lancet: Infectious Diseases*.

⁵ Byambasuren et al., 2023, [Effect of COVID-19 vaccination on long COVID: systematic review](#), *BMJ Medicine*.