



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 9829

Regulasiekoerant

Vol. 567

Pretoria, 17 September 2012

No. 35698

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS • INHOUD*No.**Page
No. Gazette
 No.***GOVERNMENT NOTICE****Health, Department of***Government Notice*

R. 766	Medicines and Related Substances Act (101/1965): Regulations relating to a transparent pricing system for medicines and scheduled substances: Amendment [dispensing fee to be charged by persons licensed in terms of section 22C (1) (a)]	3	35698
--------	--	---	-------

GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. 766

17 September 2012

**MEDICINES AND RELATED SUBSTANCES ACT, 1965
REGULATIONS RELATING TO A TRANSPARENT PRICING SYSTEM FOR
MEDICINES AND SCHEDULED SUBSTANCES: AMENDMENT
(DISPENSING FEE TO BE CHARGED BY PERSONS LICENSED IN TERMS OF
SECTION 22C (1) (a))**

The Minister of Health has, on the recommendation of the Pricing Committee, in terms of section 22G of the Medicine and Related Substances Act, 1965 (Act No. 101 of 1965), made the regulations in the schedule.

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context indicates otherwise-

“**the Regulations**” means the Regulations Relating to the Transparent Pricing System for Medicines and Scheduled Substances published under government Notice No. R1102 of November 2005 as amended.

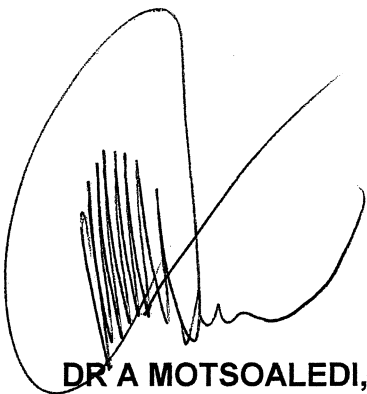
Substitution of Regulation 12

2. The following regulation is hereby substituted for regulation 12 of the regulations:

“12. The appropriate dispensing fee as contemplated in section 22G of the Act to be charged by persons licensed in terms of section 22 (1) (a) of the Act must be calculated, exclusive of VAT, as follows:

- (a) Where the Single Exit Price of a medicine or Scheduled substance is less than or equal to ninety rands, the dispensing fee must not exceed 30% of the Single Exit Price in respect of that medicine or Scheduled substance; and
 - (b) Where the Single Exit Price of a medicine or Scheduled substance is greater than ninety rands, the dispensing fee must not exceed twenty seven rands in respect of that medicine or Scheduled substance.
 - (c) The provisions of this regulation may be reviewed annually by the Minister with regard to CPI, the PPI and the need to ensure the availability and affordability of quality medicines and scheduled substances in the Republic.”
3. The provisions of sub-regulation (2) must be reviewed annually by the Minister after taking into account-
- (a) the need to ensure the availability and affordability of quality medicines and scheduled substances in the Republic;
 - (b) annual inflation rates published periodically by Statistics South Africa;
 - (c) information supplied by persons licensed to dispense in terms of section 22C (1) (a) in accordance with guidelines determined by the Minister from time to time by Notice in the Gazette; and
 - (d) any other information the Minister may deem necessary to consider.
4. Persons Licensed to dispense in terms of section 22C (1) (a) must-

-
- (a) by means of a clearly displayed notice in the dispensing practice, inform members of the public using the dispensing practice of the maximum fee structure used by such dispensing practice to determine the dispensing fee; and
- (b) provide an invoice that in respect of each medicine clearly indicates the-
- (i) dispensing fee charged; and
 - (ii) the single exit price;



DR A MOTSOLEDI, MP

MINISTER OF HEALTH

DATE:

1/9/2012

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531