



Australian Government

**Military Rehabilitation and Compensation
(Dispensed Price for MRCA Pharmaceutical
Benefits/Updating Incorporated
Documents) Amendment Instrument 2015**

Instrument 2015 No. MRCC45

I, Stuart Robert, Minister for Veterans' Affairs, under subsection 286(3) of the *Military Rehabilitation and Compensation Act 2004*, approve the following determination made by the Military Rehabilitation and Compensation Commission.

Dated this 21 day of December 2015

Stuart Robert

STUART ROBERT

The Military Rehabilitation and Compensation Commission under subsection 286(2) of the *Military Rehabilitation and Compensation Act 2004*, makes the following determination.

Dated this 3rd day of December 2015

The Seal of the
Military Rehabilitation and Compensation Commission) SEAL
was affixed hereto in the)
presence of:)

Simon Lewis

Craig Orme

Major General Mark Kelly

.....
SIMON LEWIS

CRAIG ORME

MAJOR GENERAL MARK KELLY

CHAIR

**AM CSC
MEMBER**

**AO DSC
MEMBER**

Rear Admiral Robyn Walker

Jennifer Taylor

.....
REAR ADMIRAL ROBYN WALKER

JENNIFER TAYLOR

**AM RAN
MEMBER**

MEMBER

1 Name

This instrument is the *Military Rehabilitation and Compensation (Dispensed Price for MRCA Pharmaceutical Benefits/Updating Incorporated Documents) Amendment Instrument 2015*.

2 Commencement

- (1) Each provision of this Instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 5	The day after this instrument is registered	
2. Schedule Part A	The day after this instrument is registered	
3. Schedule Part B	1 January 2016	
4. Any provision not covered by this table	The day after this instrument is registered	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 286(2) of the *Military Rehabilitation and Compensation Act 2004*.

4 Definition

“**MRCA Pharmaceutical Benefits Scheme**” means the instrument known as the MRCA Pharmaceutical Benefits Scheme made under paragraph 286(1)(c) of the *Military Rehabilitation and Compensation Act 2004*.

5 Schedule

The instrument specified in the Schedule to this instrument is varied as set out in the applicable items in the Schedule.

Schedule

PART A

Variations to the MRCA Pharmaceutical Benefits Scheme Commencing on Registration

1 Part 1 – Interpretation (Section 3)

insert:

“**dispensed price**” has the meaning it has in the *RPBS*.

“**Sixth Community Pharmacy Agreement**” means the written agreement between the Australian Government and the Pharmacy Guild of Australia called the “Sixth Community Pharmacy Agreement” which relates to the delivery of *PBS* medicines and related services, being the version of the agreement as it exists on the date for the document in Schedule 1.

2 Paragraph 11B (the heading “Supply Certification Form”)

omit the heading.

3 Paragraphs 26, 27, 28, 29 (including the headings)

substitute:

26 Payment of Dispensed Price

The amount payable to a *Community Pharmacist* for the supply of a *Pharmaceutical benefit* under the *Scheme* is the *dispensed price*.

Note: the dispensed price includes a dispensing fee.

4 Paragraph 30 (except the heading)

substitute:

30. The *dispensed price* may not be payable to a *Community Pharmacist* where that person does not satisfy the requirements of paragraph 18 and supplies *Pharmaceutical benefits* to a person who is not an *Eligible Person*.

PART B

Variations to the MRCA Pharmaceutical Benefits Scheme Commencing on 1 January 2016

1 Schedule 1 – Incorporated Documents

substitute:

SCHEDULE 1 – INCORPORATED DOCUMENTS

The following documents, in the version in which they exist on 1 January 2016, are incorporated-by-reference into the *Scheme*:

List A

- *Explanatory Notes*
- *RPBS Explanatory Notes*
- *PBS or Pharmaceutical Benefits Scheme*
- *RPBS Schedule*
Note: “RPBS Schedule” is defined to mean the *Repatriation Schedule of Pharmaceutical Benefits* which is further defined.
- *Sixth Community Pharmacy Agreement*
- the British Pharmacopoeia
- the United States Pharmacopoeia
- the European Pharmacopoeia
- the Australian Pharmaceutical Formulary
- a prescribed Pharmacology text of international standing
- the Pharmaceutical Codex as amended and authorised by regulations under the *Therapeutic Goods Act 1989*.

List B

The following documents are incorporated-by-reference into the *Scheme*:

- previous editions of the British Pharmacopoeia which describe drugs and medicinal preparations
- previous editions of the Pharmaceutical Codex as amended and authorised by regulations under the *Therapeutic Goods Act 1989* which describe drugs and medicinal preparations
- previous editions of the Australian Pharmaceutical Formulary which describe drugs and medicinal preparations.

Note: paragraph 43 provides that the later versions of certain documents in list A take precedence over earlier versions of the documents in List B