



# **National Health (Pharmaceuticals and Vaccines—Cost Recovery) Amendment (Vaccine Advice) Regulations 2019**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 27 June 2019

Peter Cosgrove  
Governor-General

By His Excellency's Command

Greg Hunt  
Minister for Health

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# Contents

1	Name.....	1
2	Commencement .....	1
3	Authority.....	1
4	Schedules.....	1
<b>Schedule 1—Amendments</b>		<b>2</b>
	<i>National Health (Pharmaceuticals and Vaccines—Cost Recovery) Regulations 2009</i>	2



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## 1 Name

This instrument is the *National Health (Pharmaceuticals and Vaccines—Cost Recovery) Amendment (Vaccine Advice) Regulations 2019*.

## 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. The whole of this instrument	Immediately after the commencement of the <i>National Health (Pharmaceuticals and Vaccines—Cost Recovery) Amendment Regulations 2019</i>	1 July 2019

Note: This table relates only to the provisions of this instrument as originally made.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 the *National Health Act 1953*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *National Health (Pharmaceuticals and Vaccines—Cost Recovery) Regulations 2009*

#### 1 Regulation 1.3

Insert:

*ATAGI advice* has the meaning given by subregulation 1A.1(1).

#### 2 Regulation 1A.1

Repeal the regulation, substitute:

##### 1A.1 Fees for providing ATAGI advice

- (1) On or after 1 July 2020, a person may make an application (the *ATAGI application*) for the provision of advice (the *ATAGI advice*) by ATAGI to the person for the person to include in a proposed Part 2 submission to the Committee that the Committee recommend to the Minister that the Minister exercise a power under section 9B of the Act.
- (2) For the purposes of section 99YBA of the Act, the fee (the *usual ATAGI fee*) prescribed for providing the ATAGI advice to the person is \$300,440 (if the notification for the person's ATAGI application is given during the financial year starting on 1 July 2020).

Note: This fee is indexed for later financial years (see regulation 4.7).

#### 3 Subregulation 1A.2(3)

Repeal the subregulation, substitute:

*Fee payable if a person is partially exempt*

- (3) If a person is partially exempt under subregulation (1), the fee for providing the ATAGI advice to the person is reduced. The reduced fee is \$178,550 (if the notification for the person's ATAGI application is given during the financial year starting on 1 July 2020).

Note: This reduced fee is indexed for later financial years (see regulation 4.7).