

PB 132 of 2022

National Health (Weighted average disclosed price – April 2023 reduction day) Determination 2022

*National Health Act 1953*

I, DAVID LAFFAN, as delegate of the Minister for Health and Aged Care, make this determination under subsection 99ADB(4) and paragraph 99ADH(1)(aa) of the *National Health Act 1953*.

Dated 21 December 2022

DAVID LAFFAN

Acting First Assistant Secretary

Technology Assessment and Access Division, Health Resourcing Group

Department of Health and Aged Care

Contents

[**1 Name** 3](#_Toc106284271)

[**2 Commencement** 3](#_Toc106284272)

[**3 Repeal** 3](#_Toc106284273)

[**4 Authority** 3](#_Toc106284274)

[**5 Definitions** 3](#_Toc106284275)

[**Part 1 – Brands of pharmaceutical items with a weighted average disclosed price; adjusted approved ex-manufacturer price and reduction day** 4](#_Toc106284276)

[**6 Weighted average disclosed price for brands of pharmaceutical items in Schedule 1**  4](#_Toc106284277)

[**7 Adjusted approved ex-manufacturer price for brands of pharmaceutical items** 4](#_Toc106284278)

[**8 Reduction Day** 4](#_Toc106284279)

[**Part 2 – Brands of pharmaceutical items with a weighted average disclosed price** 4](#_Toc106284280)

[**9 Weighted average disclosed price for brands of pharmaceutical items in Schedule 2** 4](#_Toc106284281)

[**Schedule 1 –** Brands of pharmaceutical items with a weighted average disclosed price; adjusted approved ex-manufacturer price and reduction day](#_Toc106284282)

[**Schedule 2 –** Brands of pharmaceutical items with a weighted average disclosed price and no reduction day](#_Toc106284283)

## **1 Name**

1. This instrument is the *National Health (Weighted average disclosed price – April 2023 reduction day) Determination 2022*.
2. This instrument may also be cited as PB 132 of 2022.

## **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 | The day after this instrument is registered. |  |

(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 Repeal**

The *National Health (Weighted average disclosed price – October 2022 reduction day) Determination 2022 (PB 61 of 2022)* is repealed.

## **4 Authority**

This instrument is made under subsection 99ADB(4) and paragraph 99ADH(1)(aa) of the *National Health Act 1953*.

## **5 Definitions**

Note: A number of expressions used in this instrument are defined in section 99ADB of the Act, including the following:

(a) adjusted approved ex-manufacturer price;

(b) data collection period

(c) unadjusted price reduction;

(d) weighted average disclosed price.

In this instrument:

***Act*** means the *National Health Act 1953.*

# **Part 1 – Brands of pharmaceutical items with a weighted average disclosed price; adjusted approved ex-manufacturer price and reduction day**

## **6 Weighted average disclosed price for brands of pharmaceutical items in Schedule 1**

(a) For subsection 99ADB(4) of the Act, the weighted average disclosed price of a brand of pharmaceutical item specified in column 2 of an item in the table to Schedule 1 is the amount specified in column 3 of that table item.

(b) Subsection (a) applies in respect of a data collection period for a brand of pharmaceutical item ending on 30 September 2022.

Note: Paragraph 99ADH(1)(a) of the Act applies if, under section 99ADB, the Minister determines the weighted average disclosed price of a brand of a pharmaceutical item in respect of a data collection period for the brand.

## **7 Adjusted approved ex-manufacturer price for brands of pharmaceutical items**

The adjusted approved ex-manufacturer price of a brand of pharmaceutical item specified in column 2 of the table to Schedule 1 is the amount equal to the amount of the weighted average disclosed price of that brand of pharmaceutical item determined under section 6 of this instrument.

Note: Subsection 99ADB(7) of the Act provides that a determination made under subsection 99ADB(4) in relation to a brand of pharmaceutical item may include the adjusted approved ex-manufacturer price of the brand of pharmaceutical item.

## **8 Reduction Day**

For paragraph 99ADH(1)(aa) of the Act, a brand of pharmaceutical item specified in column 2 of an item in the table to Schedule 1 has a reduction day of 1 April 2023.

# **Part 2 – Brands of pharmaceutical items with a weighted average disclosed price**

## **9 Weighted average disclosed price for brands of pharmaceutical items in Schedule 2**

(a) For subsection 99ADB(4) of the Act, the weighted average disclosed price of a brand of pharmaceutical item specified in column 2 of an item in the table to Schedule 2 is the amount specified in column 3 of that table item.

(b) Subsection (a) applies in respect of a data collection period for a brand of pharmaceutical item ending on 30 September 2022.

Note: This instrument does not determine a reduction day for paragraph 99ADH(1)(aa) of the Act for a brand