Australian Capital Territory

Medicines, Poisons and Therapeutic Goods (Fees) Determination 2023 (No 1)

**Disallowable instrument DI2023-263**

made under the

Medicines, Poisons and Therapeutic Goods Act 2008, s 197 (Determination of Fees)

**1 Name of instrument**

This instrument is the *Medicines, Poisons and Therapeutic Goods (Fees) Determination 2023 (No 1).*

**2 Commencement**

This instrument commences on 1 January 2024.

**3 Determination of fees**

The fee payable in respect of each matter listed in column 3 of Schedule 1 is the amount listed for that item in column 4.

**4 Payment of fees**

A fee listed in Schedule 1 is payable to the Territory by the person identified in column 6.

The fees are exempt from Goods and Services Tax under Division 81 of *A New Tax System (Goods and Services Tax) Act 1999* (Cwlth).

**5 Refunding of fees**

Column 5 of Schedule 1 specifies what amount, if any, of a fee paid is non‑refundable.

A non‑refundable amount is included to cover the costs associated with the processing and administration of an application. As such, the non-refundable amount paid for a licence does not vary, regardless of the term of the licence.

**6 Licence terms**

The amounts listed in column 4 are based on a one-year licence.

Subject to some limitations, licences can also be issued for longer terms, up to a maximum duration of three years. Where a longer term is granted, the applicable fee in column 4 is multiplied to correspond with the term of the licence.

For example, the fee payable for a two-year licence is twice the fee specified in column 4.

**7 Revocation**

This instrument revokes DI2022-247.

Rachel Stephen-Smith MLA

Minister for Health

19 November 2023

##### Schedule 1

| **Column 1** | **Column 2** | **Column 3** | **Column 4** | Column 5 | Column 6 |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Section – *Act* & (Regulation)** | **Description** | **Fee Payable** | Non‑refundable portion of fee | Payable By |
| 1 | *84*(625) | Application for licence ~ pharmacy medicines rural communities licence | $160.80 | $45.65 | Applicant for the licence |
| 2 | *84*(610) | Application for licence ~ first‑aid kit licence | $285.30 | $45.65 |
| 3 | *84*(615) | Application for licence ~ medicines wholesalers licence | $474.15 | $45.65 |
| 4 | *84*(620) | Application for licence ~ opioid dependency treatment licence | Nil | Nil |
| 5 | *84*(705) | Application for licence ~ dangerous poisons manufacturers licence | $474.15 | $45.65 |
| 6 | *84*(715) | Application for licence ~ dangerous poisons suppliers licence | $474.15 | $45.65 |
| 7 | *84*(605) | Application for licence ~ controlled medicines research and education program licence | $45.65 | $45.65 | Applicant for research and education program |
| 8 | *84*(710) | Application for licence ~ dangerous poisons research and education program licence | $45.65 | $45.65 |
| 9 | *84*(765) | Application for licence ~ prohibited substances research and education program licence | $45.65 | $45.65 | Applicant for research and education program |
| 10 | *92* | Amendment of a licence | $45.65 | $45.65 | Licence‑holder seeking amendment |
| 11 | *95* | Replacement of licence lost, stolen or destroyed.  | $45.65 | $45.65 | Licence‑holder seeking replacement of licence |

The fees determined are based on a one-year licence. Subject to some limitations, licences can also be issued for longer terms, up to a maximum duration of three years. Where a longer term is granted, the determined fee is multiplied to correspond with the term of the licence. For example, the fee payable for a two-year licence is twice the fee specified in column 4.

For every licence for which a fee is payable, there is a non‑refundable amount that has been included to cover the costs associated with the processing and administration of the application. Such costs are incurred by the regulator irrespective of whether a licence is granted or refused. The non-refundable portion of the fee is not affected by the term of the licence. Accordingly, the fee to be paid for a three-year licence will have the same non-refundable amount as a one-year licence.