



**THE ACCIDENT COMPENSATION (PHARMACEUTICAL COSTS)
REGULATIONS 1990, AMENDMENT NO. 1**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of June 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 167(1)(1) of the Accident Rehabilitation and Compensation Insurance Act 1992, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Corporation to pay certain costs 4. Special conditions relating to payments for pharmaceutical items | <ul style="list-style-type: none"> 5. Relationship between regulations and purchase agreements 6. Revocations 7. Savings |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Accident Compensation (Pharmaceutical Costs) Regulations 1990, Amendment No. 1, and shall be read together with and deemed part of the

Accident Compensation (Pharmaceutical Costs) Regulations 1990* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1993.

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by revoking the definitions of the terms “hospital”, “private hospital”, “public hospital”, and “Social Security benefit”.

3. Corporation to pay certain costs—Regulation 4 of the principal regulations is hereby amended by revoking subclause (5), and substituting the following subclause:

“(5) The costs payable by the Corporation, as required or permitted under these regulations, shall be paid—

“(a) To the registered pharmacist, or general practitioner receiving payment from a regional health authority to dispense pharmaceuticals; or

“(b) To any person nominated by that registered pharmacist or general practitioner; or

“(c) If they have already been paid by the claimant, then to the claimant.”

4. Special conditions relating to payments for pharmaceutical items—Regulation 5 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) The Corporation shall not make any payment in respect of the provision of any pharmaceutical item unless the item was prescribed for a therapeutic purpose and is supplied to the claimant by a registered pharmacist, or by a general practitioner receiving payment from a regional health authority to dispense pharmaceuticals.”

5. Relationship between regulations and purchase agreements—The principal regulations are hereby amended by inserting, after regulation 5, the following regulation:

“5A. It is hereby expressly provided that the Corporation shall make payments in respect of any pharmaceutical item relating to treatment of a claimant for personal injury in accordance with these regulations notwithstanding the application of any purchase agreement or obligation referred to in section 27B of the Act in respect of that item.”

6. Revocations—Regulations 6, 7, and 8 of the principal regulations are hereby revoked.

7. Savings—Notwithstanding these regulations, where any treatment that is the provision of a pharmaceutical item has been provided, at any time before the close of the 30th day of June 1993, to a claimant in respect of personal injury, the principal regulations shall continue to apply as if these regulations had not been made.

DIANE WILDERSPIN,
Acting for Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 1993, omit from the Accident Compensation (Pharmaceutical Costs) Regulations 1990 references to terms repealed by the Health Reforms (Transitional Provisions) Act 1993. Regulations affected or superseded by the sections enacted in 1993 as sections 27, 27B, and 27C of the Accident Rehabilitation and Compensation Insurance Act 1992 are amended or revoked.

Amendments are made to permit payment to a person nominated by the treatment provider.

It is expressly provided that payments can be made under the regulations in respect of "purchased services".

The amendments made by these regulations do not affect payment for treatment provided before 1 July 1993.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 June 1993.

These regulations are administered in the Accident Rehabilitation and Compensation Insurance Corporation.