

1972/14



**THE SOCIAL SECURITY (PHARMACEUTICAL BENEFITS)
REGULATIONS 1965, AMENDMENT NO. 2**

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 21st day of February
1972

Present:

THE RIGHT HON. J. R. MARSHALL PRESIDING IN COUNCIL

PURSUANT to the Social Security Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Social Security (Pharmaceutical Benefits) Regulations 1965, Amendment No. 2, and shall be read together with and deemed part of the Social Security (Pharmaceutical Benefits) Regulations 1965* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of March 1972.

2. Payments to contractors—Regulation 14 of the principal regulations is hereby amended by adding the following subclause:

“(5) Notwithstanding anything in the preceding provisions of this regulation or in the Drug Tariff 1970†,—

“(a) If the Medical Officer of Health is satisfied—

“(i) That the submission of a claim for payment has been unreasonably delayed by a contractor; and

“(ii) That were it not for this subclause the effect of the delay would be that the contractor would receive more by way of dispensing fees than he would be entitled to receive at the proper time for submitting the claim; and

“(b) If the claim is not subject to a discount under subclause (2) of clause 18 of the Drug Tariff 1970,—

the Medical Officer of Health may, after giving the contractor a reasonable opportunity to be heard, cause an amount, not exceeding 5 percent of the aggregate amount that would otherwise be payable to the contractor in respect of the claim, to be deducted before payment is made to the contractor.”

*S.R. 1965/41

Amendment No. 1: S.R. 1969/240

†S.R. 1970/18

Amendment No. 5: S.R. 1971/235

3. Claims—Regulation 15 of the principal regulations is hereby amended by revoking subclause (4), and substituting the following subclause:

“(4) If the Medical Officer of Health disallows the whole or part of any claim under these regulations, or causes any deduction to be made pursuant to subclause (5) of regulation 14 of these regulations, he shall notify the contractor in writing of the disallowance or deduction and of the reasons for it.”

P. J. BROOKS,
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 amend regulations 14 and 15 of the Social Security (Pharmaceutical Benefits) Regulations 1965, and come into force on 1 March 1972.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 24 February 1972.
These regulations are administered in the Department of Health.