

Procedure for the attribution of the 3% pursuant to the provisions of article 35 of Law 3697/2008.

THE MINISTERS OF ECONOMY & FINANCES –DEVELOPMENT – EMPLOYMENT & SOCIAL SECURITY – HEALTH & SOCIAL SOLIDARITY

Considering:

1. The provisions of article 35 par. 6 of Law 3697/2008 (A' 194/25.09.2008)
2. The provisions of Law 1316/1983 "Establishment, Organization & Competencies of EOF" as amended and in force.
3. The provisions of Ministerial Decree No A3/3525/12.12.2005 (B' 1869) by the Ministry of Development "Amendment of chapter 27 "MEDICINES" Market Decree 14/89).
4. Article 10 of Presidential Decree 63/2005 (A' 98).
5. The fact that from the provisions of this decision neither the National Budget nor the budgets of the insurance funds are burdened, we decide the following:
 - 1) Pharmaceutical companies/ marketing authorization holder must pay a 3% on the retail price of their proprietary medicinal products to the insurance funds and OPAD (Public Servants Care Organization), which is reimbursed by the insurance funds and OPAD, pursuant to the provisions of paragraph 6 of article 35 of Law 3697/2008.

The amount that each company/ marketing authorization holder must pay is calculated based on the data of its overall sales, after deducting direct exports, sales to hospitals and parallel exports, according to the data from the National Organization for Medicines (EOF). In order to calculate the amount, a 15% participation of the insured party as well as the public-private expense ratio for medicinal products, i.e. 65%-35% is taken into account.

- 2) EOF is obliged to draw up, within two (2) months after the end of each 4 month period, an official sales statement for each company per product and to calculate the amount corresponding to the aforementioned percentage which must be attributed by the liable party to the insurance funds.
- 3) Every pharmaceutical company/ marketing authorization holder shall deposit the calculated amount, within two (2) months following its notification, in a bank account held at the General Secretariat for Social Insurance, via which the recipient insurance funds and OPAD seek the respective amount due to them, according to the participation of each one in the overall medicinal expenses. Should there be a delay in the attribution of the due amounts, these are collected pursuant to the provisions of the Code for the collection of public revenues (KEDE). In the event that there is a local representative, the

notification of the calculated amount and the deposit in the account is conducted by the Marketing Authorization Holder under the personal care of the local representative.

- 4) The coordination, processing and any other action necessary in order to implement the said ministerial decree are allocated to the Financial and Health Insurance and Maternity Departments of the General Secretariat for Social Insurance.

This decree shall be published in the Government Gazette.

Athens, 7th May 2009