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**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

**NON-GOVERNMENTAL ORGANIZATION****NO. 695****24 MAY 2019**

SOUTH AFRICAN HEALTH PRODUCTS REGULATORY AUTHORITY

NO. R.

APRIL 2019

**FEES PAYABLE IN TERMS OF THE PROVISIONS OF THE  
MEDICINES AND RELATED SUBSTANCES ACT, 1965**

The Minister of Health, in consultation with the Minister of Finance and the South African Health Products Regulatory Authority, in terms of Section 35(1)(xxxi) and (xxxii) read together with Section 35(4) of the Medicines and Related Substances, makes the Regulations in the Schedule.

**SCHEDULE**

In these Schedules, "the Act" means the Medicines and Related Substances Act, 1965 (Act No. 1 of 1965). The following fees shall be payable to the Chief Executive Officer or the Director General as the case may be:

**1 Category A medicines**

Human medicines, including Biologicals, for which an application for registration is submitted as contemplated in Section 15 of the Act,

- (a) In respect of the submission of an application for registration of-
- (i) New Chemical Entities, including highly technological products and new biotherapeutics other than vaccines, which have been processed by the abbreviated registration process [AMRP] (first strength, first dosage form): R53 900 per application;
  - (ii) Strengths and dosage forms other than those referred to in sub-paragraph (i): R 23 100 per application;
  - (iii) New Chemical Entities, including highly technological products, other than vaccines (first strength, first dosage form): R59 400 per application;
  - (iv) Strengths and dosage forms other than those referred to in sub-paragraph (iii): R29 700 per application;
  - (v) Biological products e.g. vaccines and biosimilars (excluding new biotherapeutics): R47 300 per application;
  - (vi) Strengths and dosage forms other than those referred to in sub-paragraph (v): R14 850 per application;

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- (vii) Generic products (pharmaceutical, analytical and bioavailability evaluated) including generic dental and radio-pharmaceutical products (first strength, first dosage form): R29 700 per application;
  - (viii) Strengths and dosage forms other than those referred to in sub- paragraph (vii): R10 450;
  - (ix) Generic products with clinical data: R48 400;
  - (x) Strengths and dosage forms other than those referred to in sub- paragraph (ix): R14 850 per application;
  - (xi) Screening fee on receipt of a Common Technical Document (CTD)\_format application: R1 760;
  - (xii) Screening fee on receipt of an electronic Common Technical Document (eCTD) format application: R1 760 per sequence;
  - (xiii) Evaluation of additional submitted clinical data (pre-registration): R2 970;
  - (xiv) An application in terms of Section 15C of the Act: R35 970;
- (b) Any medicine, the registration of which has been approved by the Authority in terms of Section 15(3) of the Act:
- (i) In respect of registration of any medicine, the registration of which has been approved by the Authority in terms of Section 15(3) of the Act (in the case of medicines in minute-dose form; the fee encompasses different dilutions and different volumes, when submitted simultaneously for the same indication or intended use) and in respect of which an application fee has been paid: R1 760 for each registration;
  - (ii) Evaluation of request for rescheduling of products: R15 000
  - (iii) Evaluation of request to amend Professional Information and Patient Information Leaflets in respect of which data relating to safety must be evaluated (post registration): R3 850;  
  
Evaluation of request to amend Professional Information and Patient Information Leaflets in respect of which clinical data relating to safety and efficacy must be evaluated (post registration): R15 000;
  - (iv) Evaluation of request to amend the Generic medicine package insert and Patient Information Leaflet where clinical data are not required (post registration): R2 500;
  - (v) Evaluation of request for major technical amendments in respect of which

- data relating to quality must be evaluated (post registration): R15 000;
- (vi) Evaluation of requests for approval of once-off deviations from registered requirements: R5 000;
  - (vii) Evaluation of requests for exemption from registered post-importation testing requirements per product: R5 000;
  - (viii) Annually, in respect of the retention of the registration of a medicine, the registration of which has been approved by the Authority in terms of Section 15(3): R2 200: Provided that this provision shall come into effect one year after the date on which the registration of the said medicine was approved by the Authority in terms of Section 15(3); Provided further that the said fees payable during a particular calendar year shall be payable on or before the last working day of June that year, failing which the registration may be cancelled in terms of Section 16(4).
- (c) In respect of the testing of a human vaccine for purposes of batch release by the National Control Laboratory: R22 000 per batch.

## 2 Category C medicines

Veterinary medicines, including Biologicals, for which Authority has determined by resolution that they are registerable:

- (a) In respect of the submission of an application for registration of-
  - (i) New Chemical Entities, including highly technological products, (first strength, first dosage form): R13 200 per application;
  - (ii) Generic products (pharmaceutical, analytical and bioavailability evaluated): R12 100 per application;
  - (iii) Generic products with clinical data: R13 200;
  - (iv) Strengths and dosage forms other than those referred to in subparagraphs (i), (ii), (iii): R4 180;
  - (v) Screening fee on receipt of the application: R1 760;
  - (vi) Evaluation of additional submitted clinical data (pre-registration): R2 640.
- (b) Any medicine, the registration of which has been approved by the Authority in terms of Section 15(3):
  - (i) In respect of the registration of any medicine, the registration of which has been approved by the Authority in terms of Section 15(3) (in the case of medicines in minute-dose forms; the fee encompasses different dilutions and

different volumes, when submitted simultaneously for the same indication or intended use) and in respect of which an application fee has been paid: R 1 760 for each registration;

- (ii) Evaluation of request for rescheduling of products: R5 940;
- (iii) Evaluation of request to amend Professional Information in respect of which clinical data relating to safety and efficacy must be evaluated: R3 850;
- (iv) Annually, in respect of the retention of the registration of a medicine, the registration of which has been approved by the Authority in terms of Section 15(3): R2 300: Provided that this provision shall come into effect one year after the date on which the registration of the said medicine was approved by the Authority in terms of Section 15(3): Provided further that the said fees payable during a particular calendar year shall be payable on or before the last working day of June that year, failing which the registration may be cancelled in terms of Section 16(4).

### 3 Category D medicines (Human medicines)

Human medicines=for which an application for registration has been submitted as contemplated in Section 15 of the Act,

- (a) In respect of the submission of an application for registration of-
  - (i) Products submitted with clinical and or toxicological data (first strength, first dosage form): R13 640 per application;
  - (ii) Strengths and dosage forms other than those referred to in subparagraph (i): R4 290 per application;
  - (iii) Products submitted with no clinical or toxicology data (first strength, first dosage form): R6 050 per application;
  - (iv) Strengths and dosage forms other than those referred to in subparagraph (iii): R1 980;
  - (v) Screening fee on receipt of an application: R1 760;
  - (vi) Evaluation of additional submitted clinical data (pre-registration):R2 750;
  - (vii) An application in terms of Section 15C of the Act: R33 000;
- (b) Any medicine, the registration of which has been approved by the Authority in terms of Section 15(3) of the Act:
  - (i) In respect of registration of any medicine, the registration of which has

been approved by the Authority in terms of Section 15(3) of the Act and in respect of which an application fee has been paid: R1 760 for each registration;

- (ii) Evaluation of request for rescheduling of products: R5 500;
- (iii) Evaluation of request to amend Professional Information in respect of which clinical data relating to safety and efficacy must be evaluated (post- registration): R3 300;
- (iv) Annually, in respect of the retention of the registration of a medicine, the registration of which has been approved by the Authority in terms of

Section 15(3): R1 700: Provided that this provision shall come into effect one year after the date on which the registration of the said medicine was approved by the Authority in terms of Section 15(3); Provided further that the said fees payable during a particular calendar year shall be payable on or before the last working day of June that year, failing which the registration may be cancelled in terms of Section 16(4).

#### 4 Category D medicines (Veterinary medicine)

Veterinary medicines for which Authority has determined by resolution that they are registerable:

- (a) In respect of the submission of an application for registration of -
  - (i) Products submitted with clinical and or toxicological data, (first strength, first dosage form): R3 740 per application;
  - (ii) Products submitted with no clinical or toxicology data (first strength, first dosage form): R2 640 per application;
  - (iii) Strengths and dosage forms other than those referred to in subparagraphs (i), (ii): R1 540;
  - (iv) Screening fee on receipt of the application: R1 760;
  - (v) Evaluation of additional submitted clinical data (pre-registration): R1 430
- (b) Any medicine, the registration of which has been approved by the Authority in terms of Section 15(3):
  - (i) In respect of the registration of any medicine, the registration of which has been approved by the Authority in terms of Section 15(3) and in respect of which an application fee has been paid: R1 760 for each registration;
  - (ii) Evaluation of request for rescheduling of products: R5 500;

- (iii) Evaluation of request to amend Professional Information in respect of which clinical data relating to safety and efficacy must be evaluated:  
R3 300;
- (iv) Annually, in respect of the retention of the registration of a medicine, the registration of which has been approved by the Authority in terms of Section 15(3): R1 200: Provided that this provision shall come into effect one year after the date on which the registration of the said medicine was approved by the Authority in terms of Section 15(3): Provided further that the said fees payable during a particular calendar year shall be payable on or before the last working day of June that year, failing which the registration may be cancelled in terms of Section 16(4).

## 5 Use of unregistered medicines

- (a) In respect of the submission of an application for the **authorisation of the use of an unregistered medicine**:
  - (i) Clinical trial application (Companies): R9 900;
  - (ii) Clinical trial application (Institutions): R4 950;
  - (iii) Any other clinical trial application: R2 420;
  - (iv) Any other application except for the purpose of performing a clinical trial: R330.
- (b) In respect of **clinical trials amendments**:
  - (i) Fees in respect of an application for technical amendments:  
R 2 310 per amendment;
  - (ii) Fees in respect of an application for administrative amendment:  
R715 per amendment.

## 6 In respect of licences

- (a) An application for a new licence in terms of Section 22C (1)(b) of the Act:
  - (i) Manufacture: R23 980;
  - (ii) Distribute: R14 300 [Holder of certificate of registration (HCR)];
  - (iii) Wholesale: R14 300;
  - (iv) Import: R14 300 (Holder of certificate of registration);
  - (v) Export: R14 300 (Holder of certificate of registration).

- (b) An application for the renewal of a licence in terms of Section 22D of the Act, the licensing of which has been approved by the Authority in terms of Section 22C(1)(b) of the Act:
  - (i) Manufacture: R20 900
  - (ii) Distribute: R11 990 (Holder of certificate of registration);
  - (iii) Wholesale: R11 990;
  - (iv) Import: R8 800 (Holder of certificate of registration);
  - (v) Export: R8 800 (Holder of certificate of registration).
- (c) Annually, in respect of the retention of a licence issued in terms of Section 22C(1)(b) of the Act: R4 000, and this fee is payable on or before the last working day of June that year, failing which registration may be cancelled;
- (d) Licensing for any manufacturer, distributor, wholesale, import or export, the license of which has been approved by the Authority in terms of Section 22(1)(b) of the Act: R3 190;
- (e) Application for the amendment to an existing licence to manufacture, distribute, wholesale, import or export: R5 000.

**7 Inspections to assess the quality, safety and efficacy of medicines or scheduled substances**

- (a) Local manufacturing site: R715/h;
- (b) International manufacturing sites (excluding Southern Africa Development Community countries): R4 400/h
- (c) International manufacturing sites in Southern Africa Development Community countries: R2 000/h;
- (d) Wholesale sites: R6 050;
- (e) Distributor sites, Local: R6 050;
- (f) Clinical trial site; Local: R715/h;
- (g) International clinical trial site (excluding Southern Africa Development Community countries): R4 400/h;
- (h) International clinical trial sites in Southern Africa Development Community countries: R2 000/h;
- (i) Local pharmacovigilance inspection: R715/h
- (j) International pharmacovigilance inspection (excluding Southern Africa Development Community countries): R4 400/h
- (k) International pharmacovigilance inspection in Southern Africa Development

Community countries: R2 000/h.

**8 Desktop inspection to assess quality, safety and efficacy of medicines or scheduled substances: R2 000**

**9 Permits and Certificates**

In respect of the issuing of a permit or a certificate:

- (a) Certificate [Certificate of a Pharmaceutical Product (WHO), Good Manufacturing Practice (GMP) Certificate, Certificate of Free Sale]: R1 320;
- (b) Import permit (holder of certificate of registration: R880;
- (c) Export permit (holder of certificate of registration: R869;
- (d) Any other permit or certificate: R902;
- (e) Permits issued by the Director-General in terms of Section 22A of the Act, excluding government departments: R902.

**10 Amendment of entries in register**

In respect of all applications for amendments in terms of Section 15A, the name of the medicine approved by the Authority under Section 15(5), which shall be the proprietary name, the approved name of each active ingredient of the medicine and the quantity thereof contained in a dosage unit or per suitable mass or volume or unit of the medicine, the conditions of registration, the name of the applicant, the name and address of the manufacturer, packer, final product release control, final product release responsibility: R770 per application.

**11 Transfer of certificates of registration**

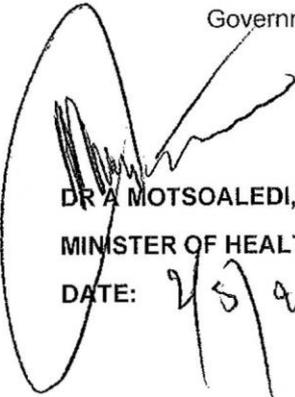
In respect of an application in terms of Section 158: R990 per application.

**12 Appeal against the decision of the Authority**

In respect of an application in terms of Section 24 (3): R50 000 per application.

**13 Withdrawal of Notice**

Government Notice Government Gazette No 39154 Notice R 784 is hereby withdrawn.



DR A MOTSOLEDI, MP

MINISTER OF HEALTH

DATE: 2/5/19

GOVERNMENT GAZETTE, 24 MAY 2019

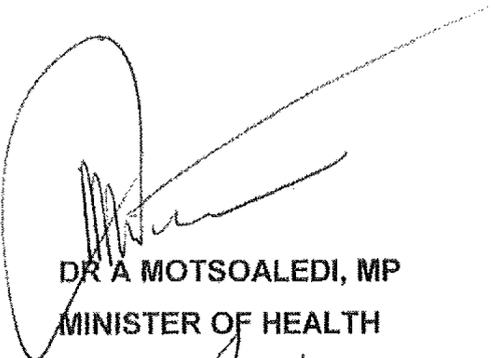
**NON-GOVERNMENTAL ORGANIZATION**

**NO. 696**

**EXEMPTION OF MEDICAL DEVICES AND IN-VITRO DIAGNOSTICS (IVDS) FROM THE PROVISIONS OF SECTIONS 18A and 18B OF THE MEDICINES AND RELATED SUBSTANCES ACT, 1965 (ACT NO. 101 OF 1965), AS AMENDED**

I, the Minister of Health, in terms of section 36(1) of the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965) and upon recommendation of the South African Health Products Regulatory Authority (SAHPRA), hereby exclude all medical devices and IVDs from the provisions contemplated under Sections 18A and 18B of Act No 101 of 1965.

This exemption relates to the supply of medical devices and IVDs according to a bonus system, rebate system or any other incentive scheme and sampling of medical devices and IVDs. This exemption shall be effective immediately for a period not exceeding three (3) years from the date signed herein by the Minister.



**DR A MOTSOLEDI, MP**

**MINISTER OF HEALTH**

**DATE**

18/12/2018



