1. The Repatriation Commission, by and in accordance with this instrument, varies the Veterans’ Affairs Pharmaceutical Benefits Scheme, Instrument No.12 of 1995 determined by the Repatriation Commission on 27 November 1995, (the Principal Instrument) under subsection 91(2) of the Veterans’ Entitlements Act 1986.

**Commencement**

2. Unless otherwise specified, this instrument commences on 1 October 1997. Where a commencement date is specified after a paragraph of this instrument, the paragraph commences on that day.

**Variations**

3. Replacing the words “Veterans’ Affairs” with the word “Repatriation” wherever they appear immediately before the words “Pharmaceutical Benefits Scheme” in the Principal Instrument.
4. Replace paragraph 1 of the Principal Instrument with the following paragraph:

“1. The Repatriation Pharmaceutical Benefits Scheme is authorised by, and subject to, section 91 of the Veterans’ Entitlements Act 1986.”

5. Delete the heading “PART 1 - REPATRIATION PHARMACEUTICAL BENEFITS SCHEME”.

6. Replace each heading specified in Column 1 of the table below with the heading specified opposite in Column 2 of the table:

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Division 2 — Prescribing of Benefits Procedure by Medical Practitioners</td>
<td>Part 2 — Prescribing of Benefits Procedure by Medical Practitioners</td>
</tr>
<tr>
<td>Division 3 — Supply of Pharmaceutical Benefits</td>
<td>Part 3 — Supply of Pharmaceutical Benefits</td>
</tr>
<tr>
<td>Division 4 — Claims by Community Pharmacists</td>
<td>Part 4 — Claims by Community Pharmacists</td>
</tr>
<tr>
<td>Division 5 — Payments to Community Pharmacists</td>
<td>Part 5 — Payments to Community Pharmacists</td>
</tr>
<tr>
<td>Division 6 — Miscellaneous</td>
<td>Part 6 — Miscellaneous</td>
</tr>
</tbody>
</table>

7. Delete the word “Part” in paragraphs 3, 6, 10, 15, 16, 21, 24, 25, 29, 30, 31, 35, and 40 of the Principal Instrument and replacing it with the word “Scheme”.

8. Replace paragraph 4 of the Principal Instrument with the following paragraph:

“4. Where it is provided for the Department or the Commission to notify certain matters, the publication of the Explanatory Notes constitutes such notification to the extent that the Explanatory Notes are relevant and are not inconsistent with other notification given by the Department or the Commission.”

9. Replace the words “this Part provides” with the words “it is provided” in paragraph 5 of the Principal Instrument.

10. Delete the words “under this part” in sub-paragraphs 6(a), 7(b), 7(h) and 7(j), and paragraphs 28, 29 and 35 of the Principal Instrument.
11. Delete the words “,under this part,” in paragraphs 30 and 31 of the Principal Instrument.

12. Replace the words “the Extra Pharmacopoeia” with “the Australian Pharmaceutical Formulary” in subparagraph 7(d)(ii) of the Principal Instrument.

13. Replace the word “Part” with “Instrument” in paragraphs 10, 15 and 16 of the Principal Instrument.

14. Insert the words “or RPBS” immediately after the acronym “PBS” wherever it appears in paragraph 17 of the Principal Instrument.

15. Delete paragraphs 20, 22, 23, 24 and 26 of the Principal Instrument.

16. Replace the paragraph reference “118JA(c)” with “118A(1)(c)” in paragraph 27 of the Principal Instrument.

17. Replace paragraph 35 of the Principal Instrument with the following paragraph:

“35. A Community Pharmacist is not entitled to demand of, or receive from, a person in receipt of a Pharmaceutical Benefit, payment in money or a valuable consideration for goods and services rendered under this Scheme except:

(a) for goods or services that are provided in an emergency; or

(b) for payment of an after-hours fee; or

(c) for payment for packaging material, postage or freight; or

(d) for payment that represents the required payment under the PBS of the price difference between the drug prescribed and supplied and the lowest priced brand of the same drug listed on the PBS Schedule; or

(e) where payment represents the difference between the Commonwealth’s financial responsibility for the provision of the Pharmaceutical Benefit and the dispensed price of the Pharmaceutical Benefit supplied.”
18. Replace the word “Part” in paragraph 40 of the Principal Instrument where it first appears with the word “Scheme” and where it secondly appears with the word “Instrument”.

19. Delete from the Principal Instrument the whole of Part II — Repatriation Out-Patient Pharmaceutical Benefits Scheme.

20. Renumber the paragraphs of the Principal Instrument in consecutive order and replace all references in paragraphs to a previous paragraph number with a reference to the new paragraph number for that paragraph.

21. Omit from the definition of “Explanatory Notes” in paragraph 3 of the Principal Instrument “1 November 1995” and insert in its place “1 August 1997”;

22. Omit from the definition of “PBS Schedule” and “RPBS Schedule” in paragraph 3 of the Principal Instrument “1 December 1995” and insert in its place “1 August 1997”;

23. Replace “1 August 1997” in the definitions of “Explanatory Notes”, “PBS Schedule” and “RPBS Schedule” in paragraph 3 of the Principal Instrument with “1 November 1997”;

Commencement: 1 November 1997

24. Replace “1 November 1997” in the definitions of “Explanatory Notes”, “PBS Schedule” and “RPBS Schedule” in paragraph 3 of the Principal Instrument with “1 February 1998”;

Commencement: 1 February 1998


Commencement: 1 May 1998
26. Replace “1 May 1998” in the definitions of “Explanatory Notes”, “PBS Schedule” and “RPBS Schedule” in paragraph 3 of the Principal Instrument with “1 August 1998”.

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27. Replace “1 August 1988” in the definitions of “Explanatory Notes”, “PBS Schedule” and “RPBS Schedule” in paragraph 3 of the Principal Instrument with “1 November 1998”.

Commencement: 1 November 1998

Dated this 18th day of September 1997

KEITH LYON
DEPUTY PRESIDENT

PAUL STEVENS
COMMISSIONER