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Government of Pakistan
Ministry of National Health Services, Regulations and Coordination
(Drug Regulatory Authority of Pakistan)

Islamabad, the 6th September, 2017.

NOTIFICATION

S.R.O. 913 (I)/2017. In pursuance of section 35 of the Drug Regulatory Authority of Pakistan Act, 2012 (XXI of 2012), the Federal Government, on the recommendations of the Policy Board, is pleased to direct that the following amendments shall be made in Schedule-II and Schedule-III of the said Act, namely:-

(a) in Schedule-II, under the heading "A", after paragraph (2), the following new paragraph shall be added, namely:-

"(3) No person shall himself or by any other person on his behalf sell or offer for sale, any drug in the finished form over and above the maximum retail price as may be fixed by the Federal Government or determined under the provisions of the Drug Pricing Policy, as notified by the Authority.

Explanation.- For the purpose of this paragraphs, the drug shall also include biologicals."; and

(b) in Schedule-III, after paragraph (6), the following new paragraph shall be added, namely:-

"(7) Recovery for overcharging.- Where any person has been convicted under the provisions of paragraph (3) of heading "A" of Schedule-II, he shall be liable to the punishment as below.-

(i) a fine equal to overcharged amount based on country-wide average sale of the respective drug in the last three financial years along-with 20% surcharge, if he is a manufacturer or importer;
(ii) a fine of rupees 02 million to 10 million, if he is a distributor;
(iii) a fine of rupees 0.1 million to 01 million, if he is a retailer.

Provided that all amounts due from a person under this paragraph shall be deposited in the Government treasury."

Explanation.- For the purpose of this paragraph, the drug shall also include biologicals".

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