

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT No. 14 of 2023

**The Zambia Medicines and Medical Supplies Agency
(Act No. 9 of 2019)**

**The Zambia Medicines and Medical Supplies Agency
(Administration of Fund) Regulations, 2023**

IN EXERCISE of the powers contained in section 19 of the Zambia Medicines and Medical Supplies Agency Act, 2019, the following Regulations are made:

1. These Regulations may be cited as the Zambia Medicines and Medical Supplies Agency (Administration of Fund) Regulations, 2023. Title
2. In these Regulations, unless the context otherwise requires— Interpretation
 - “Director-General” has the meaning assigned to the words in the Act;
 - “financial year” has the meaning assigned to the words in the Public Finance Management Act, 2018; Act No. 1 of 2018
 - “health facility” has the meaning assigned to the words in the Health Professions Act, 2009; Act No. 24 of 2009
 - “internal control” has the meaning assigned to the words in the Public Finance Management Act, 2018; Act No. 1 of 2018
 - “Fund” means the Medicines and Medical Supplies Fund established under section 18 of the Act; an “public health facility” means a health facility operated by the government and includes a health facility as defined under the Health Professions Act, 2009, and other health facilities as set out in the guidelines. Act No. 24 of 2009

*Copies of this Statutory Instrument can be obtained from the Government Printer,
P.O. Box 30136, 10101 Lusaka. Price K8.00 each.*

Administration
and
management
of Fund

3. (1) The Minister may delegate, in writing, the administration and management of the Fund to the Agency in accordance with these Regulations.

(2) The Director-General shall, where the Minister has exercised the power under subregulation (1)—

Act No. 1 of
2018

(a) ensure adherence to these Regulations, the Public Finance Management Act, 2018 and other relevant Regulations in managing and accounting for the Fund;

(b) ensure that an efficient and effective system exists for the administration and control of the Fund in accordance with these Regulations;

Act No. 8 of
2020

(c) ensure that an efficient and effective system exists for the procurement and distribution of medicines and medical supplies in accordance with the Public Procurement Act, 2020;

(d) ensure that the funds are applied for the intended purpose; and

(e) prepare and submit financial reports to the Minister.

(3) The report referred to in subregulation (2)(e), shall —

(a) include information on the affairs of the Fund and there shall be appended to the report -

(i) an audited statement of financial position;

(ii) an audited statement of comprehensive income and expenditure; and

(iii) other information that the Minister may require; and

(b) be prepared in accordance with the generally accepted accounting principles.

Purpose of
Fund

4. (1) The Fund shall be used in accordance with the purposes set out in section 18 of the Act.

(2) The Agency shall, where the Fund is applied for purposes under section 18(2)(c) of the Act, ensure that the following processes are adhered to:

(a) selection, forecasting and quantification of medicines and medical supplies;

- (b) planning for the procurement, storage and distribution of the medicines and medical supplies;
 - (c) insurance of the medicines and medical supplies stored and in transit;
 - (d) quality assurance of the medicines and medical supplies; or
 - (e) product recalls and disposal of expired or obsolete medicines and medical supplies.
5. Subject to the approval of the Secretary to the Treasury, the Director-General shall establish an effective internal control system in accordance with the Public Finance Management Act, 2018.
6. The budget for the Fund shall be approved by the Board based on the information received from the public health facilities.
7. Subject to the Public Finance Management Act, 2018, the Secretary to the Treasury shall approve the bank accounts for the Fund.
8. Subject to the Public Finance Management Act, 2018, the Director-General shall ensure that the monthly bank reconciliations for the bank accounts for the Fund are done promptly.
9. (1) The Director-General shall prepare and submit to the Board quarterly financial records of the Fund.
- (2) The financial records prepared under subregulation (1), shall include—
- (a) quantities and values of all medicines and medical supplies procured and issued;
 - (b) quantities and values of all medicines and medical supplies distributed to the public health facilities;
 - (c) quantities and values of medicines and medical supplies in stock;
 - (d) quantities and values of expired or obsolete medicines and medical supplies; and
 - (e) income statements, balance sheet and cash flow.

Controls and accounting procedures Act No. 1 of 2018

Budget for Fund

Bank accounts for Fund Act No. 1 of 2018

Bank reconciliations Act No. 1 of 2018

Financial records

Investment
Act No. 1 of
2018

10. Subject to the Public Finance Management Act, 2018, the Minister may invest monies of the Fund that the Minister does not immediately require for the purposes of the Fund.

LUSAKA

18th May, 2023

[MH/101/17/6]

S. T. MASEBO,
Minister of Health