



OFFICIAL GAZETTE

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**COMMON MARKET FOR EASTERN
AND SOUTHERN AFRICA (COMESA)**

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**COMESA REGULATIONS CONCERNING THE
TREATMENT OF PRODUCTS IN THE HEALTHCARE
SECTOR IN THE HARMONISED PRICE INDICES
(HCPI)**

THE COUNCIL OF MINISTERS OF THE COMMON MARKET OF EASTERN AND SOUTHERN AFRICA (COMESA),

Having regard to Article 140 of the Treaty establishing COMESA through which Member States made an undertaking to cooperate in the field of statistics in order to create an enabling environment for up-to-date reliable, harmonized and comparable statistical data on various sectors of economic activity, through the harmonization and adoption of common methodologies concepts and definitions to be used in collecting and compiling statistics;

Having regard to COMESA Regulation No [xx] of [date] concerning the establishment of harmonized consumer price indices (HCPIs) in Member States;

Having regard to existing COMESA Member States' legislation on statistics and the confidentiality clauses therein;

HEREBY ADOPTS THESE REGULATIONS:

**Article 1
Citation**

These Regulations shall be cited as the COMESA Regulations concerning the Treatment of Products in the Healthcare Sector in the Harmonized Consumer Price Indices (HCPI).

**Article 2
Definitions**

In these Regulations, unless the context otherwise requires:

“COICOP” means the international Classification of Individual Consumption according to Purpose;

“Harmonized Consumer Price Indices (HCPI)” means the comparable consumer price indices compiled by each Member State;

“In-patient services” means the provision of healthcare services in hospitals and the like, including accommodation for the patient, normally overnight or for longer periods;

“Member States” means COMESA Member States;

“Out-patient services” means medical, dental or therapeutic services delivered at home, in individual or group consulting facilities, dispensaries or the out-patient clinics of hospitals. and the like;

“Reimbursements” means payments made to households by government units or non-profit institutions serving households (NPISHs) that are made as direct consequences of purchases of individually specified products, initially paid for by households;

“Secretariat” means the COMESA Secretariat.

Article 3 Objective

The objective of these Regulations is to set minimum standards for the HCPI treatment of goods and services in the healthcare sector in conformity with COICOP Division 06, as set out in the Annex 4(i).

Article 4 Types of expenditure

1. Member States shall classify expenditure on healthcare products in the appropriate sub-heading of COICOP Division 06.
2. Member States shall separate and allocate the components of a price to the appropriate COICOP classes using estimated data where necessary, where a price is charged for healthcare services combined with healthcare materials or support services.

Article 5 Providers of healthcare products

All fee-charging providers of healthcare products, including organs of central and local government, NPISHs, religious organisations, private institutions and companies, and private self-employed persons, shall be covered in the HCPI.

Article 6 Weights

1. Member States shall determine the weights in accordance with total household expenditure on health care services as classified in COICOP Division 06, less reimbursements and shall be based on the following:
 - (b) results of household expenditure surveys;
 - (c) National Accounts data using the expenditure concept of private consumption; or
 - (d) any other appropriate source.
3. Where fees for healthcare products are paid for partially or fully by means of a loan, the weights shall include the gross fees payable without regard to the amount of the loan, its repayment period or any interest chargeable.

Article 7 Prices

1. The purchaser prices of health care services shall be the amounts payable by households net of any reimbursements.
2. Member States shall obtain prices of health care services from the fee-charging providers referred to in Article 5.

3. Where a service is provided to households:
 - (a) free of charge and subsequently an actual price is charged (whether or not subsidised) the change from zero to the actual price shall be taken into account in the HCPI;
 - (b) at a fee and subsequently is provided free of charge the change from the actual price to zero shall be taken into account in the HCPI; and
 - (c) jointly with other services or goods free of charge, and is subsequently charged for on a separate basis, the change shall be taken into account in the HCPI.

Article 8
Coverage of healthcare products

1. Member States shall extend the initial coverage set out in Annex 1 of the Product Coverage Regulations in conformity with COICOP Division 06 and its sub-headings in accordance with Annex 1 of the Extended Product Coverage Regulations.
2. HCPIs which include price indices and weights for each of the categories referred to in paragraph 1 accounting for more than one part in a thousand of total expenditure covered by the HCPI shall be deemed comparable.

3. Member States shall compile HCPI sub-indices for the COICOP Division 06 and its sub-headings referred to in paragraph 1 where the weights account for more than one part in a thousand of total expenditure covered by the HCPI.

Article 9
Calculation of HCPI for healthcare products

Member States shall compute the HCPI for healthcare products based on the requirements of Articles 4 to 8.

Article 10
Transmission of sub-indices to Secretariat

1. Member States shall compile sub-indices of the HCPI in accordance with Article 6 and transmit them monthly to the Secretariat.
2. Member States shall transmit to the Secretariat the corresponding weights and household final monetary consumption expenditures together with the first HCPIs relating to COICOP Division 06 and thereafter whenever the weights are changed.

Article 11
Quality Control

Member States shall provide the Secretariat with information sufficient to evaluate compliance with the procedures laid down in Articles 4 to 8.

Article 12
Amendments

1. Any proposals for the amendment of these Regulations shall be submitted to the Secretary General in writing who shall, within 30 days of its receipt, communicate it to the Member States.
2. The Member States which wish to comment on the proposals shall do so within 90 days from the date of the dispatch of the proposals by the Secretary General.
3. After the expiration of the period prescribed under paragraph 2 the Secretary General shall submit the proposals and any comments thereon received from the Member States to Council through the Committee on Legal Affairs.
4. Any amendment to these Regulations shall be adopted by Council and shall enter into force upon

publication in the Official Gazette of the Common Market.

Article 13
Entry into force

These Regulations shall enter into force on the date of publication in the Official Gazette of the Common Market.

Done and adopted at the Thirty First Meeting of the COMESA Council of Ministers held at Kampala, Uganda on 20 November 2012.

[Signature]
Chairperson
COMESA Council of Ministers

CLASSIFICATION OF ITEMS IN COICOP DIVISION 06 AND OTHER HEALTHCARE-RELATED ITEMS

COICOP		Examples of specific types of product
GROUP	CLASS	
6.1		MEDICAL PRODUCTS AND APPLIANCES (NB: No services, all goods)
	6.1.1	PHARMACEUTICAL PRODUCTS Medicines bought without prescription Medicines bought with prescription Herbal medicines, vitamins, minerals Oral contraceptives Vaccines
	6.1.2	OTHER MEDICAL PRODUCTS Clinical thermometers Bandages, plasters Syringes Condoms First aid kits Elasticated stockings
	6.1.3	THERAPEUTIC APPLIANCES AND EQUIPMENT Spectacles, contact lenses Hearing aids Dentures (not fitting costs) Artificial limbs Wheelchairs, crutches Orthopaedic devices Blood pressure monitors Trusses Repair of such items
6.2		OUTPATIENT SERVICES (NB No goods: all services)
	6.2.1	MEDICAL SERVICES General practitioners (family doctors) Specialist consultants

Orthodonticians
Services of day clinics

6.2.2 DENTAL SERVICES

Dentists
Dental hygienists and auxiliaries
Fitting costs of dentures

6.2.3 PARAMEDICALSERVICES

Medical laboratory services, including X-rays, scans etc
Freelance nurses, midwives
Freelance physiotherapists, chiropractors, acupuncturists etc
Ambulance services
Practitioners of traditional medicine

6.3 HOSPITAL SERVICES

6.3.0 HOSPITAL SERVICES (In-patient care supervised by medical doctors)

Services to in-patients in hospitals, psychiatric hospitals, maternity units,
nursing homes, hospices for the terminally ill, etc
Medical and paramedical services
Cost of specific operations/interventions
Provision of operating theatre and support
Nursing
Accommodation
Catering
Ambulance transport
Provision of pharmaceutical products

Not included in COICOP Division 06 (COICOP headings in brackets):-

Articles for personal hygiene, including medicinal soaps (12.1.3)
Health insurance premiums (12.5.3)
Institutions for disabled people (12.4.0)
Protective goggles (09.3.2)
Retirement homes for the elderly (12.4.0)

Sunglasses (other than those with corrective lenses) (12.3.2)
Veterinary products (09.3.4/5)