

NB: Unofficial translation. Legally valid only in Finnish and Swedish

Ministry of Social Affairs and Health, Finland

No. 211/2013

Act on partial funding of damages for pharmaceutical injuries in 2009 from government funds

Section 1

Scope of application

Damages for pharmaceutical injuries in accordance with the general insurance terms and conditions of pharmaceutical insurance that were in force on 1 January 2007, which according to the said terms and conditions concern the period of insurance 2009, are partly funded from government funds as laid down in this Act.

Section 2

Division of the insurance sum between damages for pharmaceutical injuries caused by the Pandemrix vaccine and damages for other pharmaceutical injuries

The damages payable to those injured by the Pandemrix vaccine and to others injured by pharmaceutical injuries for the period of insurance 2009 are funded from pharmaceutical insurance until the total nominal amount of the damages paid will amount to EUR 20 million. Thereafter the damages to be funded from pharmaceutical insurance will be divided so that from the part of the nominal insurance sum of EUR 30 million for 2009 that is unspent the injuries caused by the Pandemrix vaccine will be compensated by an amount that is obtained by deducting from the insurance sum:

- 1) the total nominal amount of the damages paid by the date referred to above to the persons injured for pharmaceutical injuries for the period of insurance 2009; and
- 2) an estimate of the nominal value of the damages payable after the date referred to above to persons injured other than those whose injury was caused by the Pandemrix vaccine for the period of insurance 2009.

Section 3

Damages partly funded from government funds

Once the sum of insurance allocated for payment of compensations for injuries caused by the Pandemrix vaccine calculated as referred to in section 2 has been spent, the damages to be paid on account of injuries caused by the Pandemrix vaccine in accordance with the general insurance terms

and conditions of pharmaceutical insurance that were in force on 1 January 2007 will be funded from government funds without any limitation on the insurance sum.

Section 4

Information to be supplied to the Ministry of Social Affairs and Health

The Pharmaceutical Insurance Pool must once a year or at request free of charge supply the Ministry of Social Affairs and Health with information on how the sum of insurance for pharmaceutical insurance for 2009 has been spent and on the remaining amount of the insurance sum as well as on the number of notifications of injuries, specified according to approved and rejected notifications and notification whose processing is under way. The Pharmaceutical Insurance Pool must also give an estimate of the total amount of future compensations and when the payment of the government's financing share will begin.

Section 5 – Entry into force

This Act enters into force on 2 April 2013.

Issued in Helsinki on 15 March 2013

SAULI NIINISTÖ

President of the Republic

Paula Risikko

Minister of Social Affairs and Health