

Your letter from

Our reference

Annex

Date

06.12.2024

Unpaid invoices in favour of the Federal Agency for Medicines and Health Products (FAMHP)

Dear Madam
Dear Sir

The Federal Agency for Medicines and Health Products (FAMHP) is a reference authority with a crucial role in protecting public health. The FAMHP is financed about 20 % through the general expenditure budget of the federal state and about 80 % by the sectors to whom we provide services, through an extensive system of fees and taxes. All these charges are collected by sending **invoices** to the individual actors (companies, etc.) within these sectors that benefit from the services.

The vast majority of invoices are paid correctly. Over the last five years, however, the number of **outstanding invoices** has risen significantly. This has a negative impact on the Agency's resources available to finance current expenditure. It is also unfair to those actors that do pay their invoices correctly. Finally, the increased time needed to collect arrears entails a cost rise, due to the fact that more and more staff members have to devote themselves to this task.

With this letter, the FAMHP management and the Transparency Committee, in which the paying sectors are represented, wish to raise this issue. We point out the **potentially serious consequences** for defaulting firms. We also briefly recall the payment instructions. These are simple, but we want there to be no misunderstanding. We send this letter to all sectors and firms, including those paying correctly.

What is the legal basis for the invoices sent by the FAMHP ?

All charges collected by the FAMHP are listed in **article 14** of the **law of 20 July 2006** on the establishment and operation of the Federal Agency for Medicines and Health Products, hereinafter referred to as the FAMHP law.

What are the possible consequences of not paying FAMHP invoices ?

The fee payer or taxpayer may, within 30 days, lodge a reasoned **administrative appeal** against an received invoice (FAMHP law, article 14/20). Failing this, the fee or tax is final.

Non-payment can have three consequences :

- I. If the deadline for payment is exceeded, the FAMHP is entitled to charge **interest**. (FAMHP law, article 14/17)
- II. The FAMHP has also entered into cooperation with the Federal Public Service Finance to proceed with the **recovery** of outstanding amounts via this route.
- III. A third measure took effect in early 2024 and consists of the partial or total **suspension of further services**. An unpaid invoice can therefore result in the firm no longer receiving licences, certificates, authorisations, etc. from the FAMHP ! (FAMHP law, article 14/22 § 8)

Reminder : What are the payment instructions ?

Please follow the instructions below for optimal processing of your payment. This way, together we will ensure efficient payment management and reduce the administrative burden for all parties.

- a) Indicate the **structured communication** when paying your invoice.
- b) Make a **separate payment for each invoice**. Joint payments for different invoices are not accepted.

Note

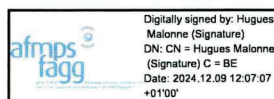
1. The FAMHP is a public service department and does not work with PO numbers. The absence on an invoice of company proprietary references such as a PO number is **not a valid reason** not to pay it.
2. The FAMHP law sets out **which company must pay the charge**. They receive the invoice. It is permitted to forward it to **another firm** (sister company, centre that carries out a clinical trial as a subcontractor, etc.) which then makes the payment. The above payment instructions naturally remain applicable.

Questions ?

Contact the Budget and Management Control Division at fin@famhp.be if you have questions about invoices you have received from the FAMHP.

Does the invoice relate to a file you have submitted ? The file manager who processed your application can explain the items and amounts charged.

Yours faithfully



Hugues MALONNE
Chief Executive Officer

A handwritten signature in blue ink, enclosed in a rectangular box.

Ann ADRIAENSEN
Chair of the Transparency Committee

