

DG PRE Marketing Authorisation

**Detailed guidance for National Scientific-
Technical Advice (STA) requests:
(Version 1.7)**

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1. Introduction:

The DG PRE-Authorisation of the federal agency for medicines and health products (famhp) in Belgium offers applicants the possibility to request national scientific and/or technical (e.g. regulatory) advice (STA) related to the research and development aspects of human or veterinary drug products in view of potential clinical trial applications (CTA's), marketing authorization applications (MAA's), introduction of variations to marketed drug products or line extensions. The famhp's main objective in providing STA to applicants at a national level is to promote and facilitate as much as possible the development of new drug products from a regulatory perspective in order to enhance the availability of innovative drug products to patients, especially in therapeutics areas where an unmet medical need exists.

For this purpose the scientific-technical advice unit of the DG PRE-Authorisation offers a centralized and transparent service within the agency which should ensure the processing of national STA requests in a timely fashion while assuring full confidentiality and potential conflict of interest of the involved experts. The famhp also aims to provide a consistent follow-up of previous national and European advices (e.g. through its interface with the SAWP and SAWP-V at the EMA) in order to assure the quality and consistency of the national STA's issued by the famhp.

The national STA may be provided to sponsors of clinical trials, pharmaceutical/biotech companies (e.g. small biotech spin offs, global companies), research centres, etc.

As the progress in science and subsequently the scientific/regulatory guidelines are constantly evolving over time, the national STA issued by the famhp is to be considered as **NOT legally binding** with regard to any future, related application (e.g. CTA's), neither towards the famhp, nor to the applicant. The advice given by the famhp is based on the questions and information submitted by the applicant at the time of the STA request and cannot account for any future changes in science and the scientific / regulatory guidelines. After an **initial STA request** has been addressed by the famhp, applicants are free to submit at any time a **follow-up STA request** (e.g. whenever they feel the need to seek advice on new development data that have been obtained, changes in scientific / regulatory guidelines have taken place, etc).

National STA requests may be submitted to the famhp at any time, independently from other ongoing or planned applications (e.g. CTA's, MAA's, SAWP advices, PIP's). Nevertheless, applicants are strongly being recommended to seek the famhp's advice well in advance of a forthcoming application. However, the famhp maintains the right to refuse STA requests in case legal procedures are ongoing which are related to the STA request and in which famhp experts may be involved. In this case, the STA request cannot be treated by the famhp as long as the legal procedure has not been closed.

The famhp also wishes to point out that a national STA **related to a forthcoming application (e.g. CTA, MAA,...)** that the applicant plans to submit in the near future is NOT to be considered as a preliminary assessment or approval of the

planned application.

The objective of this Guidance is to provide applicants with information regarding the planning and submission of national STA requests in order to ensure an effective and efficient handling of the advice requests throughout the procedure. In particular, guidance is given regarding the conditions, timelines and rules of procedure as well as the scope for requesting national scientific-technical advice to the famhp.

2. Legal basis:

Article 6sexies of the Belgian Medicines law of March 25th 1964 forms the legal basis of the conditions and rules under which the famhp can provide scientific or technical advice regarding the research and development of medicines in view of future CTA's, MAA's or introduction of variations to marketed drug products. In addition, Article 4 of the Law of July 20th 2006 regarding the instauration and functioning of the famhp clearly states that scientific advice to applicants falls within the competence of the agency.

Moreover, Article 13bis of the Belgian Medicines law of March 25th 1964 together with the Royal Decree of March 31st 2009 forms the legal basis for the fees charged by the famhp to applicants submitting a request for national STA.

The Royal Decree of March 31st 2009, in execution of article 6sexies of the Belgian medicines law of March 25th 1964, lays down the legal scope, procedures, timelines and fees that are applicable to requests for national STA that are submitted to thefamhp.

The Royal Decree of July 16th 2012, modifying the Royal Decree of March 31st 2009, defines the new definitions, procedures and fees that are legally applicable to requests for national STA that are submitted to the famhp as of October 18th 2012. Cfr. Paragraph 3 and 6 below.

3. Definitions - Scope:

As defined in the Royal Decree July 16th 2012 the following types of advice fall within the legal scope of a national STA submitted to the famhp:

3.1. STA request Type I:

An STA request Type I is defined as: Advice requests representing one specific question regarding:

- (1) scientific issues related to research and development
- (2) technical-regulatory issues for which no (national or European) legislation or guidelines exist or the current legislation or guidelines are insufficient

and for which no multidisciplinary expertise would normally be required to address the raised question.

Due to its general simple nature, this type of advice request would normally require only expertise in one specific field and would therefore be addressed in writing. However, on exceptional basis, an individual question may also represent a complex matter that would require in depth expertise. In such case the advice request might be considered by the famhp as a type II or type III STA request (i.e. depending on the complexity of the STA request) since it represents a heavy workload. In such case, the STA request will follow the procedure for type II, III STA requests (cfr. paragraph 6.3).

3.2. STA request Type II and III:

A national STA request type II and III can be defined as: Advice requests representing a set of multiple, specific questions regarding:

- (1) scientific issues related to research and development
- (2) technical-regulatory issues for which no (national or European) legislation or guidelines exists or the current legislation or guidelines are insufficient

and for which multidisciplinary expertise is normally required to address the raised question(s).

In general, type II and type III STA requests would typically cover multiple type of questions (e.g. related to quality, non-clinical, clinical issues, regulatory) for which multidisciplinary expertise is required.

A detailed list of the different types of STA requests that can be submitted to the famhp is included in table 1 below.

TYPES OF NATIONAL SCIENTIFIC-TECHNICAL ADVICE (STA)
<p>TYPE I Scientific technical-regulatory advice (max. 1 question possible) Written advice Max. 30 calendar days</p>
<p>Technical/regulatory advice concerning e.g. chemical – pharmaceutical or (pre)-clinical aspects, the statute of a medicinal product, IMP – NIMP statute, name giving (i.f.o. umbrella brands)</p>
<p>Technical advice (e.g. concerning GMP aspects)</p>
<p>TYPE II Scientific advice (multiple questions for one domain of expertise possible) Through a scientific advice meeting or in writing upon request Max. 70 calendar days</p>
<p>Expertise domain 1: advice concerning chemical- pharmaceutical aspects of a drug product</p>
<p>Expertise domain 2: advice concerning the non-clinical OR clinical aspects of a drug product (i.e. including protocol design, Risk Management plans (RMP's), Benefit/Risk, CTA methodology)</p>
<p>Expertise domain 3: protocol assistance</p>
<p>TYPE III Mixed advice (i.e. Scientific and technical- regulatory advice, multiple questions possible) Through a scientific advice meeting (max. 70 calendar days)</p>
<p>TYPE IIIa:</p>
<p>Mixed advice concerning both technical/regulatory questions and scientific questions</p>
<p>Scientific advice concerning multiple expertise domains mentioned above under STA type II: e.g. expertise domain 1(chemical – pharmaceutical aspects) and expertise domain 2 (clinical, non-clinical aspects)</p>
<p>Advice concerning early market access aspects of a drug product</p>
<p>TYPE IIIb – Joint STA's:</p>
<p>Joint advice with other Belgian health authorities (e.g. Sciensano, Federal Public Health Service, FANC, etc.) or other National Competent Authorities (NCA's) within the EU (i.e. including Simultaneous National Scientific Advice requests (SNSA).</p>
<p>Joint advice with other HTA bodies within the EU (i.e. joint STA-HTA): advice concerning early market access and/or early reimbursement aspects in combination with STA aspects</p>

Table 1: Types of national scientific-technical advice

Further detailed information on the maximum legal delays that are applicable for providing the formal famhp advice to the applicant after validation of the STA request, can be found in paragraph 6 in below.

Out of scope:

Depending on the nature and purpose, several type of advice requests / questions fall outside the legal scope of the national STA procedure as these advice request/questions are being addressed by the famhp in a different way, according to different procedures, timelines, etc... Addressing such advice requests/questions normally falls within the informative tasks of the famhp for which no additional fees are being charged.

The following type of advice request/questions are considered out of scope (i.e. non-exhaustive list):

1. Advice requests related to current legislation:

Advice requests representing one or multiple specific questions regarding technical-regulatory topics for which divergences exist in the current legislation.

2. Frequently asked questions (FAQ's):

Frequently asked questions regarding e.g. Submission procedures (e.g. CTA's, MAA's, MRP's), general dossier requirements, etc., as described in current national and European guidelines, legislation, etc.

3. Dossier-related questions:

Questions from applicants which are sent to the famhp in the context of an application submitted in Belgium (e.g. a CTA) fall within the procedure for that particular application and are normally addressed by the involved file manager(s). Subsequently, dossier-related questions fall outside the scope of the national STA procedure.

4. Legal advice:

Requests for legal advice should be sent directly to the juridical department of the famhp and fall outside the scope of national STA requests.

5. Presubmission meeting requests related to marketing authorization (MA):

At current, requests for a presubmission meeting related to new MA applications, line-extensions or variations are only being accepted in case Belgium acts as reference member state (RMS) in the MRP/DCP or when Belgian acts as rapporteur / co-rapporteur in the centralized procedure (CP). Such meetings fall outside the scope of the national STA procedures as they are being addressed in a separate procedure. However, in case that Belgium acts as concerned member state (CMS) in the MRP/DCP, the famhp offers applicants the opportunity to use the national STA procedures to raise scientific-technical (e.g. regulatory) questions in preparation of the MRP/DCP (i.e. as long as the questions fall within the legal scope of a national STA request).

6. Portfolio meetings:

Applicants are also allowed to request for a **Portfolio Meeting** with the agency. This type of informal and informative meeting typically provides the opportunity for pharmaceutical companies to present an overview of one or several development programs, therapeutics areas in which the company is actively involved, different products (or classes thereof) which are in the development pipeline, etc.. In addition, the portfolio meetings allow clarifying the agency's interest for a role in a forthcoming European procedure for specific drug products. This information forms an important basis for the long-term recourse planning of the agency. This type of meeting is considered to fall outside the scope of a national STA request and therefore no fee will be charged to the applicant for a portfolio meeting. Detailed information on how to apply for a Portfolio Meeting can be found on the [website](#).

However, in case that the applicant would seek advice on specific scientific and/or technical-regulatory aspects (e.g. related to an individual development program), such advice is considered to fall within the scope of a national STA request as this would rather be discussed in a specific advice meeting. Thus, the need for a subsequent specific STA meeting may be the result of a Portfolio Meeting; this advice needs to be applied for separately.

7. Project info meetings:

For SMEs, academic research centres, spin-offs/SME's and academic hospitals, the National Innovation Office foresees the possibility to present in an informal way a specific clinical research project situated in a very early stage of development.

Project info meetings give innovators a first high level guidance on general regulatory requirements, scientific guidelines and development aspects to follow when considering initiating a medicine development project and help identify any future scientific, technical and regulatory hurdles that may impact the project.

Project info meetings can also create early awareness about particular uncertainties, potential criticalities or the feasibility of the project which can facilitate further project planning, thereby increasing the chances for success. If needed, the applicants will be advised during such informal project info meeting to request in a next phase a formal national or European scientific advice on key issues that were identified. Since Project Info Meetings are informal of nature, no fee will be charged to the applicant for such meeting request.

Detailed information on how to apply for a Portfolio Meeting can be found on the [website](#).

8.Regulatory planning meetings:

e.g. meeting requests from applicants who plan to submit multiple applications (MAA's, variations, etc.) at once.

9. Questions / advice requests concerning healthcare products:

e.g. Questions / advice requests concerning:

- Medical devices
- blood, cells and tissues
- borderline products (e.g. food supplements, cosmetics, biocides, etc.)
-

10. Questions regarding other (i.e. non-R&D related) aspects of drug products and medical devices used in combination with a medicinal product and falling under the legal statute of a medicinal product:

e.g. Questions concerning the proper use of medicines, publicity issues, counterfeit, etc.

4. Areas of advice:

In general, a national STA request submitted to the famhp may cover multiple questions related to a broad range of areas in the field of research and development products. STA requests can also be submitted for medical devices that are used in combination with a medicinal product and in case such combination product falls under the legal statute of a drug product .

A non-exhaustive list of examples is given below:

- Quality aspects
- Non-clinical aspects
- Clinical aspects
- Unmet medical needs
- Early market access
- Switch from Rx – OTC status
- Technical-Regulatory issues (eg. regulatory statute of borderline products)
- Regulatory strategy (eg. for CTA, SAWP advice, PIP, MAA, CHMP re- examination, WHO pre-qualification)
- GXP-related aspects (eg. GMP, GCP, GLP, ...)
Design and conduct of clinical trials / clinical development programs (eg. integrated protocol designs)
- Pharmacovigilance aspects (eg. PASS/PAES, referrals)
- Risk-management aspects (eg. RMP's, ERA's)
- Benefit / risk aspects
- GMO and Biosafety related aspects of IMP's
- Combination packages
- Drug-device combination products
- New (platform)technologies & concepts (eg. on-site formulation)
- ...

National STA requests may be (1) related to the research & development of specific drug products (i.e. drug products falling within the legal definition of a medicinal product) or a class of drug products or (2) may cover more general, non-product related aspects (eg. regarding genotoxic impurity testing).

National STA requests which are related to a specific drug product or class of drug products may cover different types of drug products: chemical, radiochemical, bio(techno)logical, GMO's, paediatric medicines, geriatric medicines, ATMP's, nanomedicines, etc.

5. Timing of STA requests - Type of meetings:

5.1 Introduction:

Scientific-technical advice can be requested during any stage of the initial development of the medicinal product (eg. before submission of a CTA, MAA, variation, line-extension).

Meetings can also be held with the famhp to discuss pharmacovigilance issues, proposals for changes to labelling or package leaflets, etc.

In conclusion, the following STA requests can be submitted to the famhp throughout the complete product lifecycle:

- ≤ Phase 1 (FIM, exploratory CTA's)
- ≤ Phase 2
- ≤ Phase 3
- Phase 4: post marketing authorisation (MA)

5.2 Initial / follow-up STA requests:

As mentioned before, after an initial STA request has been addressed by the famhp, applicants are free to submit at any time a follow-up STA request (eg. whenever there would be a need to seek advice on new development data that have been obtained, when changes in scientific / regulatory guidelines have taken place, etc).

Independently, of the procedure that was applied during the initial STA request, any follow-up STA request may be treated by the famhp either as a Type I, II or III national advice depending on the scope of the follow-up STA request. Subsequently, the same fees apply for a follow-up STA request as for an initial STA request submitted to the famhp.

5.3 Clarification requests:

On some occasions, it is conceivable that the applicant requests for a clarification of the formal advice issued by the famhp in the context of an initial or follow-up STA request. The requests for further clarifications should be submitted within 14 calendar days after the receipt of the Final Scientific Advice (see paragraph 6.3 Procedures and timelines). In such cases, no additional fee will be charged for the clarification given by the famhp. The clarification of an advice may be addressed by the famhp either in writing (i.e. standard approach) or on exceptional basis through a meeting with the applicant. However, such clarification is strictly limited to the questions and issues that were addressed during the formal STA procedure (i.e. either in a face-to-face or teleconference meeting or in writing). Any new questions that have arisen from the initially issued famhp advice should be dealt with in a follow-up advice request.

6. Procedure and timelines:

6.1 Introduction:

In order to allow the famhp to provide a pointed advice within the foreseen time limits, applicants who intend to seek scientific and / or technical (regulatory) advice from the famhp, are requested to strictly follow the procedures described below.

Any official request for national STA falling within the legal scope of a Type I, II or III STA request as mentioned above should be submitted to the Directorate-General PRE-authorisation of the famhp.

These requests should be sent electronically to our central mailbox: sta@fagg-afmps.be.

Alternatively, e.g. in case large electronic files above 5MB would be submitted, electronic STA requests can also be sent by using the Eudralink system or on CD-rom or USB key to:

Federal Agency for Medicines and Health Products
Directorate-General PRE Marketing Authorisation
National Innovation Office – STA unit (desk 8D222)
Galileelaan 5/03
B-1210 Brussels
BELGIUM
To the attention of: Ms. Greet Musch

6.2 Payment information:

From 1 October 2021, the FAMHP uses a new invoicing method for national STA applications of types I, II and III that are handled by the National Innovation Office and Scientific-Technical Advice Unit.

This means that applicants no longer pay a fee when submitting the application for advice, but have to pay the invoice sent by the FAMHP's Budget and Management Control Division after validation of the STA request. Each payment should be accompanied by the structured reference on the invoice, so that the payment can be linked to the correct invoice, even if the payment is made by a third party. Without the structured reference, we will consider the invoice as unpaid.

About the procedure

1. The company receives a quarterly invoice for all national STA applications submitted during the previous quarter.
2. The invoice lists the references of the files.
3. The fact that the FAMHP does not work with Purchase Order (PO) numbers is not a valid reason for not paying an invoice.
4. You always receive the invoice at the invoicing address. Please state your email address for invoicing purposes in the "cover letter" when submitting the request for advice.

5. Have you already paid a fee for a recent request for advice? Send an email to refund@fagg-afmps.be to request a refund of the fee.
6. Any bank charges for payments from abroad cannot be charged to the FAMHP. These costs will be covered by the payer.
7. If the applicant withdraws a STA application after validation of the application, the fee will still have to be paid.
8. If a formally submitted STA application is declared invalid by the FAMHP at the end of the validation phase of the procedure, no fee will have to be paid by the applicant.

6.3 Procedures and timelines:

In general, national STA requests submitted under the type I, II or III advice procedure will follow during the respective procedure the three steps outlined below:

Step 1: Validation phase

During validation of each STA request, the famhp will verify if the following criteria are met:

- the submitted STA request falls within the legal scope of a national STA request
- the submitted STA request has been correctly submitted by the applicant under the appropriate type of STA request
- the appropriate fee has been paid
- all supportive documentation is included in the submitted STA request (cfr. Paragraph 7 below)
- a clear and solid motivation for seeking national scientific-technical advice is provided by the applicant

The validation phase only begins when the Directorate-General PRE-authorisation of the famhp has received the formal STA request (including all supportive documents) and the proof of payment from the bank.

Based on the received supportive documents and depending on the complexity and nature of the raised questions, the famhp will verify if the submitted STA request fulfils the definition of a type I, II or III STA request and subsequently if a meeting at the agency would be necessary (i.e. for type II and type III) or if a written advice will be given (i.e. type I STA advice). Nevertheless, it is the applicant's responsibility to submit the STA request under the appropriate procedure.

The applicant will be informed about the validation of the STA request. Any refusal to validate the STA request will be communicated to the applicant as soon as possible. Grounds for refusing validation of the STA request may be: e.g. insufficient/missing motivation of the STA request, insufficient / missing supportive documentation, inappropriate payment of the fee, the requested STA may fall outside the legal scope of national STA, etc.

Shortcomings which cannot be resolved by the applicant will automatically lead to an INVALID application. In contrast, when all shortcomings can be resolved by the applicant during validation phase, the STA request will be declared VALID (= Day 0). As soon as all validation criteria are being met, the valid STA request will enter the evaluation phase of the STA procedure (cfr. step 2).

At current, no legal timelines are applicable for the validation of STA requests as the validation of each STA dossier depends on the completeness and acceptability of the submitted data. Evidently, the famhp tries to validate all incoming STA requests as quickly as practically possible (i.e. normally the validation of each STA request is initiated within 1 week upon receipt of the formal STA request).

Step2: Evaluation phase

During the evaluation phase of a valid STA request, the appropriate internal and/or external experts of the famhp are being selected and designated by the STA coordinator. Subsequently, the content of the STA request is being evaluated by the designated experts in view of addressing the questions raised by the applicant. The questions contained in the STA request will be formally addressed by the famhp as follows:

Type I STA requests:

In principle, a valid STA request falling within the definition of type I STA request will be addressed by the famhp in writing, within maximum 30 calendar days(*). Along with the validated Final Scientific Advice, a qualitative feedback questionnaire will be sent to the applicant (cfr. Paragraph 8 below) which can be completed by the applicant on a voluntary basis.

As mentioned before (cfr. Paragraph 3), this type of advice request will normally be addressed in writing due to its simple nature and the minimal workload associated with such STA request. However, on exceptional basis, a national STA request submitted by the applicant as an type I STA request might represent a very complex question that would require in depth expertise from the famhp. Taken into account the complexity and heavy workload associated with such advice request, such dossier could be considered by the famhp as a type II or type III STA request rather than an type I STA request. In such particular case, the STA request will follow the procedure of a type II or III STA request based on the famhp's decision during the validation phase.

Type II and III STA requests:

In principle, a valid STA request falling within the definition of a type II or type III STA request will be addressed by the famhp in a face-to-face meeting or through a teleconference meeting with the applicant. Depending on the nature and complexity of the STA request, the applicant is free to propose which type of meeting he prefers with the famhp. However, the famhp generally prefers a face-to-face meeting for discussing these types of STA requests.

Type II and type III STA requests will be addressed by the famhp in a face-to-face

meeting or teleconference meeting within maximum 70 calendar days(*).

As a general rule, the famhp foresees 1.5 hours (max. 2 hours) for advice meetings with applicants. The applicant is strongly encouraged to provide a brief presentation during the meeting with the famhp, however this should be limited (e.g. 15 min). Such presentation may cover e.g. an overview of the issues to be discussed, background information on the development of the drug product which is relevant to the meeting, etc. The presentation should be electronically sent to the STA unit 14 calendar days prior to the meeting together with the attendant's list.

The meetings are chaired by the famhp and the discussions are normally being held in English. The applicant is free to bring in experts for attending the meeting as long as this is properly being communicated well in advance (i.e. through the attendants list). Nevertheless, it is the responsibility of the famhp to select and designate the internal and/or external experts that will provide the formal advice on behalf of the famhp.

After the STA meeting has taken place, the applicant should send an electronic copy of the company meeting minutes to the famhp within maximum 5 working days following the STA meeting. The meeting minutes should reflect the topics that were orally discussed / clarified during the STA meeting and should complement the supportive documentation provided by the applicant in the briefing package of the STA request prior to the meeting. The company meeting minutes will not be formally reviewed or endorsed by the famhp but will be used as additional supportive information by the involved famhp experts in order to draft the Final Scientific Advice. The validated Final Scientific Advice will be sent as a pdf file to the applicant within maximum 21 calendar days following the formal STA meeting. Along with the validated Final Scientific Advice, a qualitative feedback questionnaire will be sent to the applicant (cfr. paragraph 8 below) which can be completed by the applicant on a voluntary basis.

(*) Date counting from the day at which the STA request was formally declared VALID by the famhp (= Day 0). These timelines represent the maximum period during which the famhp commits itself to provide a pointed advice to the applicant. Evidently, the famhp aims to address all advice requests from applicants as fast as practically possible after validation.

Step 3: Administrative phase

If no further clarification request from the applicant is received by the famhp within 14 calendar days after sending out the validated Final Scientific Advice, the procedure is officially being closed.

7. Content & format of STA requests:

7.1 Introduction:

Detailed information on the content and format of national STA requests submitted to the famhp can be found on the [website](#).

7.2 Application form:

As part of the required content of a national STA request, applicants are being requested to download and complete the electronic application form (i.e. MS Access format) which is available on the famhp [website](#) and to include the completed electronic document in the STA request.

The electronic application form is intended to contain all essential information related to the national STA request that would provide the famhp with complete and concise data in order to provide a pointed advice.

8. Feedback questionnaire for applicants

As a federal agency, the famhp pays much importance to the quality of the provided national STA's and to the satisfaction of the applicants. In order to improve its national STA service on a continuous basis, applicants are offered the opportunity to fill in a feedback questionnaire after having received the final scientific advice from the famhp. The qualitative feedback questionnaire is intended to ask the applicant's opinion on the following three aspects related to the received national STA:

- Quality of the provided national STA
- Quality of the service provided during the STA procedure
- Consistency of the provided national STA with previous advice(s)

Applicants are being asked to complete the feedback questionnaire on a voluntary basis and send it back afterwards to the famhp. An electronic copy of the document can be found on the famhp [website](#) along with the instructions for filling in and sending back the document to the famhp.

9. Fees:

Fees from Januari 1, 2022

General STA Fees	
SME, universities, certified hospitals, foundations for the public good and statutory administrations (conditions apply)*	
<ul style="list-style-type: none">• STA Type I	<ul style="list-style-type: none">• 580,09 €
<ul style="list-style-type: none">• STA Type II	<ul style="list-style-type: none">• 3.480,57 €
<ul style="list-style-type: none">• STA Type III	<ul style="list-style-type: none">• 4.640,76 €
Other organisations and companies	
<ul style="list-style-type: none">• STA Type I	<ul style="list-style-type: none">• 2.320,38 €
<ul style="list-style-type: none">• STA Type II	<ul style="list-style-type: none">• 13.922,26 €
<ul style="list-style-type: none">• STA Type III	<ul style="list-style-type: none">• 18.563,03 €

Fees for STA requests regarding an upcoming clinical trial	
Applicants that <u>commit</u> to submit the clinical trial application to which the preceding STA request is related within max. 2 years after receipt of the formal STA either through the FAMHP CTR pilot scheme or according to the CTR at time of entering fully into force**	
<ul style="list-style-type: none">• STA Type I	<ul style="list-style-type: none">• 0 €
<ul style="list-style-type: none">• STA Type II	<ul style="list-style-type: none">• 0 €
<ul style="list-style-type: none">• STA Type III	<ul style="list-style-type: none">• 0 €
Applicants that <u>cannot commit</u> to submit the clinical trial within max. 2 years through the FAMHP CTR pilot or according to the CTR at time of entering fully into force**	
<ul style="list-style-type: none">• STA Type I	<ul style="list-style-type: none">• 2.320,38 €
<ul style="list-style-type: none">• STA Type II	<ul style="list-style-type: none">• 13.922,26 €
<ul style="list-style-type: none">• STA Type III	<ul style="list-style-type: none">• 18.563,03 €

* A 75 % reduced STA fee is possible for small and medium enterprises (SME's),

universities, certified hospitals, foundations for the public good and statutory administrations that request a national scientific and/or technical regulatory advice (i.e. STA type I, II or III) on all aspects related to research into and the development of a medicinal product e.g. in view of a potential future application for marketing authorisation or registration of a medicinal product or a request for a variation or line extension, request for a CUP/MNP, etc. In order to be eligible for the 75% fee reduction the following conditions should be met :

SME's :

For SME's applying for national STA according to the 75% reduced fee concept, a declaration of an external auditor must be attached to the STA request stating that the applicant is an SME as defined in annex IX of the Law of 7 APRIL 2019 (“Loi modifiant des dispositions relatives à la remise des avis scientifiques et techniques par l’Agence fédérale des médicaments et des produits de santé et portant sur le financement de l’Agence fédérale des médicaments et des produits de santé ainsi que sur la création d’un bureau du cannabis”).

Universities, certified hospitals, foundations for the public good and statutory administrations (i.e. non-commercial entities):

Universities, certified hospitals, foundations for the public good and statutory administrations should be formally recognized by the FAMHP as sponsor of non-commercial studies as defined by art. 31 of the Law of 7 May 2004 in order to be eligible for the 75% reduced STA fee. This recognition should normally be in place prior to applying for a formal STA request according to the reduced STA fee concept or should at the latest be initiated by the Applicant in parallel with the national STA request submission. In the latter case, the Applicant should be aware that in case the FAMHP would not recognize the Applicant as a sponsor of non-commercial studies the standard fee for the related STA request will be owed to the FAMHP and therefore charged retrospectively to the Applicant (or it's legal representative).

**** An exemption from the standard fee for national STA requests (i.e. STA type I, II and III) regarding a planned clinical trial is applicable if the applicant commits himself (i.e. at the time of STA request) to submitting an admissible request for approval of the clinical trial that is subject of the preceding STA request, within two years after receipt of the formal national STA issued by the FAMHP. This commitment should be clearly stated in the cover letter of the national STA request at time of STA submission to the FAMHP. The subsequent CTA application should be submitted according the law dated 7 May 2017 regarding clinical trials with medicines for human use (including the pilot files pursuant to the law dated 7 May 2004 regarding**

experiments using human subjects). Indeed, the FAMHP has set up a CTR pilot project to obtain experience and to align processes between all participants in order to prepare for the implementation of the Regulation No 536/2014. More information on this CTR pilot can be found at:

https://www.famhp.be/en/human_use/medicines/medicines/research_development/clinical_trials

If the commitment made by the Applicant at time of STA submission cannot be fulfilled, the fee for the STA will be owed to the FAMHP and therefore charged retrospectively to the Applicant (or its legal representative). In such case, the applicable fee will be the indexed amount of the standard STA fee for the specific STA request of the applicant applicable at the time that an admissible request for CTA approval should have been submitted to the FAMHP.

Please note that clinical trial applications with GMO-based medicinal products submitted following the deliberate release procedure are currently out of scope of the CTR pilots being conducted by the FAMHP and, therefore, not eligible for the STA fee exemption concept described above.

General comment:

The STA fee reduction / exemption concepts mentioned above can by no means be cumulated. In case an STA request could be eligible for both concepts at the same time, the Applicant should make a clear decision on which fee reduction he wants to apply for at the time of formal STA submission and state this in his cover letter. No further changes can be made/proposed by the Applicant once the STA request has been declared valid by the FAMHP.

Fees for national STA are subject to indexation on a yearly basis. Indexation of the fees takes place at the beginning of each calendar year.

PAYMENT

More information on the payment method can be found in Paragraph 6.2.

10.Contact for further information:

Any general or specific questions that applicants may have related to the national scientific and/or technical (regulatory) advice service of the famhp can be sent to the following mailbox: sta@fagg-afmps.be

11.Legal texts:

11.1 Laws:

- Medicines law of March 25th 1964:
- Law of July 20th 2006 regarding the instauration and functioning of the famhp:

11.2 Royal Decrees:

- Royal decree of March 31st 2009 in execution of article 6sexies of the Medicines law of March 25th 1964
- Royal Decree of July 16th 2012, modifying the Royal Decree of March 31st 2009.

12. Frequently asked questions (FAQ's):

A list of frequently asked questions can be found on the [website](#) of the famhp under the section "Scientific-technical Advice".

13. Abbreviations:

ATMP	Advanced Therapy Medicinal Product
CMS	Concerned Member State
CP	Centralized Procedure
CTA	Clinical Trial Application
CTR	Clinical Trial Regulation
DCP	Decentralized procedure
EMA	European Medicines Agency
ERA	Environmental Risk Assessment
famhp	Federal Agency For Medicines And Health Products
FIM	First In Man
GMO	Genetically Modified Organism
GMP	Good Manufacturing Practices
GCP	Good Clinical Practices
GLP	Good Laboratory Practices
HTA	Health Technology Assessment
IMP	Investigational Medicinal product
MAA	Marketing Authorization Application
MRP	Mutual Recognition Procedure
NCA	National Competent Authority
OTC	Over-The-Counter
PAES	Post-Authorisation Efficacy Studies
PASS	Post-Authorisation Safety Studies
PIP	Paediatric Investigation Plan
RMP	Risk Management Plan
RMS	Reference Member State
SAWP	Scientific Advice Working Party
SAWP-V	Scientific Advice Working Party – Veterinary Products
SNSA	Simultaneous National Scientific Advice
STA	Scientific-Technical Advice