

13 August 2008

Hon David Cunliffe
Minister of Health
Parliament Buildings
Wellington

Dear David,

PHARMAC - LEVETIRACETAM

Thank you for your letter responding to my letter of 11th July. You advise that you have seen PHARMAC's response to our expressed concern and trust that it clarifies the situation with us.

I regret to advise that it does not. For your information I enclose a copy of my letter to PHARMAC dated 29th July which highlights our on-going concerns.

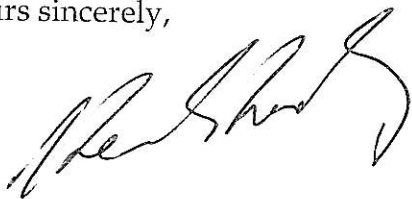
In essence PHARMAC have attempted to nonchalantly dismiss the issue as a misinterpretation on our part based on their use of "general" language. Nothing could be further from the truth.

The PHARMAC proposal used very precise and specific language and if implemented would breach the Medicines Act and usurp the New Zealand Government's obligations to the WTO TRIPS agreement.

These are not minor matters. A crown agency must be held to account for such transgressions lest they become an accepted pattern of "behaviour".

A good starting point would be for the crown agency to at least accept that they had over stepped acceptable boundaries with a commitment to desist from such behaviour in the future.

Yours sincerely,



Ken Shirley
Chief Executive Officer

Level 1, Perpetual Trust House
111 Customhouse Quay
PO Box 10447
Wellington 6143
Telephone: 04-499 4277
Facsimile: 04-499 4276
www.rmianz.co.nz