Appendix F

Price adjustment

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1. PRICE ADJUSTMENT

1.1 Ordinary price adjustments

The prices set out in appendix C shall be fixed for the first 12 (twelve) months after Commencement. After the expiry of the period mentioned above, price adjustment may take place once a year. However, see below concerning extraordinary price adjustments, cf. clause 1.2 and special price adjustment, cf. clause **Fejl! Henvisningskilde ikke fundet.**.

1.2 Extraordinary price adjustments

Beyond the ordinary price adjustment, an extraordinary price adjustment may take place. Both Parties may after the first 6 (six) months ask for an extraordinary price adjustment, if the current price using the formular in clause 1.4, has changed more than +/- 6% since Commencement/the last price adjustment according to clause 1.1. A new extraordinary price adjustment may take place if the current price has again changed more than +/- 6% since the last price adjustment according to clause 1.1 or 1.2.   Conducting the extraordinary price adjustment does not affect when the ordinary price adjustment according to clause 1.1 may take place, which regardless of the extraordinary price adjustment therefor may take place at the intervals described in clause 1.1.

1.3 Terms of price adjustments

The price adjustment may take place at the Supplier's or DALO's initiative. DALO or the Supplier shall receive the new price data no later than 30 days prior to the time when the adjusted price is applicable. The new price data will be applicable unless DALO or the Supplier objects within the 30 days period.

The price adjustment covers all prices in appendix C, except prices are covered by the special price adjustment according to clause **Fejl! Henvisningskilde ikke fundet.**. The adjusted prices are only applicable for future Purchase Orders.

In the event of errors in the adjusted prices, the prices shall be rectified as follows:

- If the prices have been too high, the Supplier shall reimburse any excess payments made by DALO.

- If the prices have been too low, the Supplier is entitled to excess payments, corresponding the amount DALO would have had to pay.

If the request for adjustment originates from the Supplier, the request shall be forwarded electronically to FMI-KTP-SC-AFTALE@MIL.DK. The request shall include the Agreement No. [460000xxxx], the indices used, the calculation and the resulting percentage change.

If the request originates from DALO, the request shall be forwarded electronically to [Insert point of contact]. The request shall include the Agreement No. [460000xxxx], the indices used, the calculation and the resulting percentage change.

1.4   Index and price adjustment formula

Price adjustment for the prices in appendix C shall take place in accordance with the following indices:

Name/Source: Statistics Denmark PRIS4315, Producer and import index for commodities (2015=100) by industry (groups), market and unit. Industry (Groups): 21 – Manufacture of basic pharmaceutical products and pharmaceutical preparations.
Market: Import
Unit: Index
Time: Month

The prices shall be based on the latest published index at the time of Commencement of the Agreement. The latest published index/indices or average is:

To be inserted upon conclusion of the tender.

Price adjustment shall always take place in accordance with the agreed index number. Therefore, if the index number is agreed as the index number of 1'st quarter 2022 or the period JAN 2022-DEC 2022, this is the index number which shall be used to make the adjustment every year – this will also be the case if price adjustment takes place at a later date.

Example: If M_0= 2022Q1 (1'st quarter 2022) is set at Commencement, this means that M_1=2023Q1 (1'st quarter 2023) is applied at the first ordinary price adjustment.

The price adjustment shall take place on the basis of the following formula, where the index numbers are stated with one decimal:

$$P_1 = P_0 \times \left(\frac{M_1}{M_0}\right) \text{ and}$$

P_1 = The adjusted price

P_0 = The price to be adjusted

M_1 / = Index value at the agreed adjustment time

M_0 / = Index value at the time of Commencement of the Agreement and thereafter the index value of the latest price adjustment