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MEDIA STATEMENT

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Health Department notes High Court judgment on antiretroviral tender and assures patients of uninterrupted supply

Pretoria: The Department of Health has taken note of the Pretoria High Court judgment delivered on 20 October 2026 in the review proceedings brought by Hetero and Cipla concerning items 13 and 23 of the antiretroviral tender, HP13-2025ARV, which relate to the first-line HIV treatment regimen containing tenofovir, lamivudine and dolutegravir (TLD) combination.

The Department welcomes the Court`s ruling dismissing Hetero's review application under the same case number. However, the Court has upheld Cipla's review in relation to the two items and set aside the awards for items 13 and 23. The Court has directed the Department to re-evaluate the affected items within 120 days of the judgement.

The Department respects the role of the courts in ensuring that public procurement is conducted within the applicable legal framework. The Department remains committed to fair, transparent and legally compliant procurement that delivers value for money, strengthens public confidence and ensures the sustained availability of quality-assured antiretroviral medicines for patients who depend on the public health system.

The Department wishes to assure patients, healthcare workers and the public that there is no threat of disruption to the supply of antiretroviral medicines**.** Patients continue to have access to their medication from health establishments.

The Department is working with provincial departments, depots and suppliers to ensure continuity of supply while the matter is resolved. Any change which may potentially affect patients will be communicated timeously.

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