

# Introduction to the Medicines Australia Code of Conduct



The Code upholds the pharmaceutical industry's responsibility to act ethically and always in the best interests of patients.

## What is the Code?

The Medicines Australia Code of Conduct (the Code) sets the standard for how pharmaceutical companies engage with healthcare professionals (such as doctors, nurses and pharmacists), the patient community, and other relevant stakeholders. Its main goal is to make sure prescription medicines are promoted responsibly, ethically, and within the law - without advertising directly to the general public. The Code was created in 1960 and is one of Australia's oldest health industry standards. It is managed by the industry, not the government.

In this context, the term **patient community** refers specifically to patients, patient representatives, patient organisations, and carers.

## Why is it important?

Patients place great trust in the medicines used to support their health and wellbeing. As providers of those medicines, delivering better health outcomes for Australians is a key focus of the pharmaceutical industry. To do this, medicines must be used safely, wisely, and effectively - this is called the **Quality Use of Medicines (QUM)**.

The Code requires that pharmaceutical companies:

- ✓ Do not inappropriately influence healthcare professionals.
- ✓ Do not advertise prescription medicines to patients, patient organisations, or the public.
- ✓ Give healthcare professionals current, accurate, balanced information.
- ✓ Train staff to act ethically and professionally.
- ✓ Work with patient and consumer organisations for the benefit of the community.

## How does it link to the law?

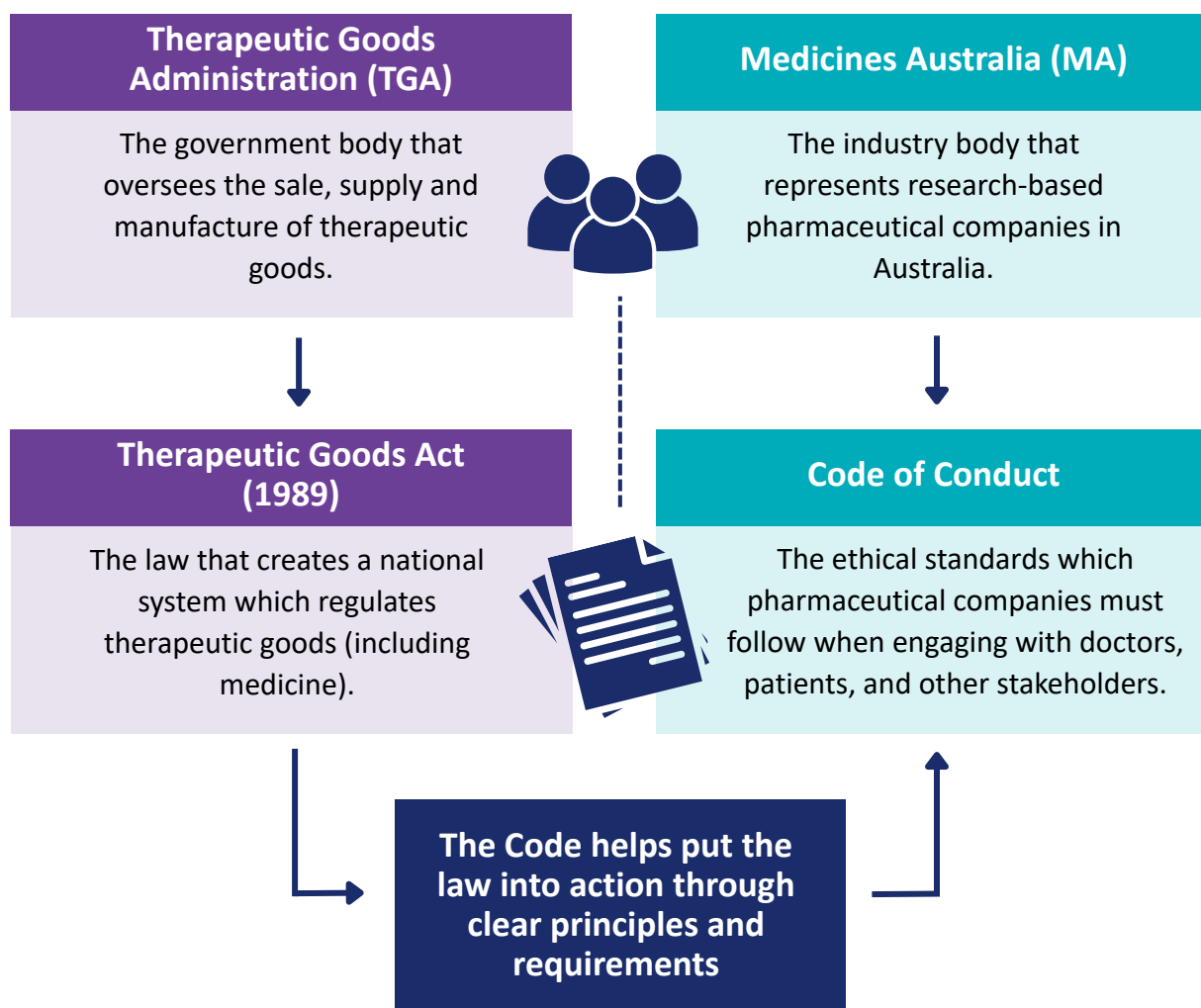
The Code is based on, and works hand in hand with, the Therapeutic Goods Act. While the Code itself is not law, it complements the Act by providing a framework to make sure companies communicate about their medicines responsibly. The Code contains 10 broad principles that serve as a foundation for ethical conduct in the pharmaceutical industry.

For a medicine to be sold in Australia, a company needs to apply to the Therapeutics Goods Administration (TGA) to have it registered.

When the TGA approves a new prescription medicine, that approval comes with a condition: the company must follow the Code when promoting the medicine to healthcare professionals.

This means the Code applies to all prescription pharmaceutical companies in Australia, not just Medicines Australia members, and it plays an important role in Australia's wider regulatory system.

# The Code and the law



## Who does it apply to?

The Code applies only to pharmaceutical companies that supply prescription medicines. It does not apply to doctors, patients, media, or companies selling over-the-counter medicines. This doesn't mean these groups have no responsibilities. They are simply guided by different codes or frameworks that apply to their roles. Medicines Australia's member companies also take on extra obligations, like independent monitoring, transparent reporting, and being accountable through a formal complaints process.

## Real standards, real consequences

Companies must follow the Code as part of registering their prescription medicines. If they don't, there are real consequences, such as fines, retractions of material, or public reporting of breaches.

The Code is supported by:

- **Education:** a comprehensive program helps companies understand the Code and how to apply it in practice.
- **Monitoring:** an independent committee reviews company materials and processes for compliance.
- **Complaints:** anyone can raise a complaint if they believe a company has breached the Code.

## At a glance: Ten key principles

- 1 All activities undertaken by Companies have the purpose of supporting the quality use of medicines.
- 2 Companies are committed to transparency in their interactions with healthcare professionals and other stakeholders, to maintain trust and confidence in the industry.
- 3 As the primary repository of information relating to their products, Companies are responsible for providing current, accurate, balanced, and scientifically valid information on products to support their appropriate use. The same standards apply to all other Company communications.
- 4 Company employees, and anyone acting on behalf of a Company, will be appropriately trained on the Code and maintain a high standard of ethical conduct and professionalism in the discharge of their duties.
- 5 Consistent with our ethical undertakings, nothing is offered or provided by a Company in a manner or with conditions that would have an inappropriate influence on the approval, recommendation, prescribing, and/or use of a product.
- 6 Companies' interactions with all stakeholders are at all times professional, consistent with all legislative requirements, and appropriate to the information needs of the respective audience.
- 7 Information relevant to prescribing, in particular product and safety information, are clearly communicated in all promotional materials. Promotional materials are designed by Companies to not only create awareness of Therapeutic Goods Administration (TGA) approved medicines, but to support proper assessment of their risks and benefits.
- 8 All promotional claims are consistent with the Australian Product Information document, including claims about competitor products, irrespective of the source on which the claim is based.
- 9 All events, initiated or sponsored by Companies, are reasonable and appropriate with respect to hospitality, travel and accommodation, therefore upholding the integrity and reputation of the industry.
- 10 All activities undertaken by Companies are clearly identified to their audience as a Company activity by the inclusion of the Company's name and city/town of the Company's Australian office.

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## Why companies may differ in their approach

The Code sets broad principles for companies to apply, rather than strict step-by-step rules. Additionally, each company will have their own internal rules, some of which may be stricter than the Code. Because of these variations, your experience working with companies will likely differ. For instance, some companies may require more details when working with the patient community, where others may seem to have simple processes. Even with these differences, companies will still be working within the Code.