

27 November 2017

SAMED Directive regarding Conference Venues

Attention: SAMED members and stakeholders

In line with recent international developments whereby some medical device companies are now prohibited from offering aspects of sponsorship at venues that are considered resorts, SAMED has taken a decision not to provide comment / advice regarding the appropriateness of conference venues. SAMED also does not have a venue vetting system.

Rather each SAMED member must make that decision for themselves, taking into account any internal policies and code/s they might be bound by, including the SAMED Code.

We therefore advise stakeholders to the industry e.g. conference organisers, doctor societies etc to first consult with the trade, in particular the Multi Nationals and get an indication from them prior to finalising a venue for their event as to whether they can indeed support the event if it is being held at a particular venue. Such stakeholders can then make an informed decision as to whether they will receive sufficient support from the trade in order to make holding an event at a particular venue, viable or not.

The Medical Device Code of Ethical Marketing and Business Practice contains the following clauses which may provide guidance in respect of this matter:

PART 1: Interactions with HCPs

Chapter 1: General criteria for events

Member companies may invite HCPs to company events and third-party organised educational events, conferences and procedure training. The principles and criteria set out in this chapter shall apply to all such events supported in any way by member companies, irrespective of who organises the event.

1. Event programme

The event programme should directly relate to the specialty and/or medical practice of the HCPs who will attend the event or be sufficiently relevant to justify the attendance of the HCPs. For third-party organised educational events, the agenda should be under the sole control and responsibility of the third party organiser.

The meeting and event should be appropriate to all delegates' scope of practice.

A member company shall not organise events which include social, sporting and/or leisure activities or other forms of entertainment, nor support such elements which form part of third-party organised educational events. For third-party organised educational events, entertainment must be outside of the educational programme schedule and paid for separately by the HCPs.

Entertainment should not dominate or interfere with the overall scientific content of the programme and must be held during times that do not overlap with a scientific session. The entertainment should not be the main attraction of the event.

2. Event location and venue

The event location and venue should not become the main attraction of the event. For the location and the venue, member companies must take into account at all times the following considerations:

- Potential adverse public perceptions of the location and venue for the event. The perceived image of the location and venue must not be luxury, or tourist/holiday-oriented, or that of an entertainment venue.
- The venue should be a business or commercial centre providing conference facilities conducive to the exchange of scientific and medical information and the transmission of knowledge.
- No company may organise or sponsor an event that takes place outside its home country unless:
 - Most of the invitees are from outside of its home country and, given the countries of origin of most of the invitees, it makes greater logistical sense to hold the event in another country.
 - Given the location of the relevant resource or expertise that is the object or subject matter of the event, it makes greater logistical sense to hold the event in another country (an “international event”).

The time of the year should be taken into account in determining if a geographic location is appropriate.

3. Guests

Member companies are not permitted to facilitate or pay for meals, travel, accommodation or other expenses for guests or spouses of HCPs, or for any other person who does not have a *bona fide* professional interest in the information being shared at the event.

4. CPD meetings

No product promotion is allowed in the CPD meeting room. Company-branded items/promotions are permissible.

Speakers should, in so far as possible, use the non-proprietary names of products during CPD events. Companies must make it known to speakers that the use of trade names are not permitted as it promotes a particular product.

5. Reasonable hospitality

Member companies may provide reasonable hospitality to HCPs in the context of company events and third-party organised educational events but any hospitality offered must be subordinate in time and focus to the event purpose.

The Code seeks to find a balance between the courteous and professional treatment of HCPs by member companies, with the desire to avoid even the appearance that hospitality may be used by member companies as a means to induce HCPs to purchase, prescribe or recommend member companies' products. Accordingly, member companies must assess what is “reasonable” in any given situation and regional variations will apply.

As a general guideline, “reasonable” should be interpreted as the appropriate standard for the given location and must comply with the national laws, regulations and professional codes of conduct. The term “hospitality” includes meals and accommodation and it is important that member companies differentiate between “hospitality” which is permitted and entertainment which is not.

Accommodation and/or other services provided to HCPs should not cover a period of stay beyond the day before and the day after the official duration of the event.

6. Travel

General principles

Until direct sponsorship is no longer allowed, the following travel policy applies.

Member companies may only pay or reimburse for reasonable and actual travel. Travel may be arranged by the sponsoring company (or their designated travel agent). Travel provided to HCPs should not cover a period of stay beyond the day before and the day after the official duration of the event.

International travel

Member companies may sponsor business class travel for HCPs **only** for:

- Faculty members presenting at a third party organised event irrespective of day of arrival.
- HCPs attending advisory boards and clinical investigations irrespective of day of arrival.

Business class airfares may not be exchanged for two economy tickets so that a companion/spouse may accompany the HCP.

Premium economy flights may be considered in the class of international economy travel, however perception and cost are important factors when deciding whether premium economy flights may be acceptable.

First class is never appropriate.

For any other travel, economy class travel is the standard class travel that companies may offer HCPs to attend both international and local events, including congress attendance and site visits.

7. Satellite Symposia

Member companies may purchase satellite symposia packages at third-party organised educational conferences and provide presentations on subjects that are consistent with the overall content of the third-party organised educational conference. Member companies may determine the content of these satellite symposia and be responsible for speaker selection.

8. Transparency

When meetings are sponsored by companies, other organisations or by individuals, the fact must be disclosed in the papers relating to the meetings and in any published proceedings. The declaration of sponsorship must be sufficiently prominent to ensure that readers are aware of it at the outset.

For queries on the above please email: info@samed.org.za