



**Australian
Competition &
Consumer
Commission**

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9 July 2012

By email

Dear Sir/Madam

**Medicines Australia Limited application for revocation and substitution A91316-
A91320 – interested party consultation**

The Australian Competition and Consumer Commission (**ACCC**) has received an application for reauthorisation (application for revocation and substitution) from Medicines Australia Limited (**Medicines Australia**) for its Code of Conduct Edition 17. The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

The Code of Conduct (**Code**) sets standards for the advertising and promotion of pharmaceutical products.

A full copy of the application for authorisation, supporting submission and Code is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>.

Background

Edition 15 of the Code (applications A90994 – A90996) was authorised by the ACCC subject to a reporting condition in 2006. The condition imposed by the ACCC required the public disclosure of hospitality provided by pharmaceutical companies to healthcare professionals at educational events. The authorisation was subject to a review by the Australian Competition Tribunal which granted authorisation subject to a similar reporting condition in 2007.

In 2009 the ACCC granted authorisations A91150, A91155, A91156, A91183 and A91184 were granted to Medicines Australia for the 16th edition of its Code.

Edition 17 of the Code was adopted by members of Medicines Australia on 26 June 2012 and is the subject of the current application for authorisation.

Request for submission

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to Medicines Australia's application for authorisation, please do so by **30 July 2012**.

Alternatively, if you would like to provide comments orally, please contact Megan Cunningham on (03) 9290 1856 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

4 July 2012	Lodgement of application and supporting submission.
9 July 2012	Public consultation process begins.
30 July 2012	Closing date for submissions from interested parties.
August 2012	Applicant responds to issues raised in the public consultation process.
September/October 2012	Draft determination.
October/November 2012	Public consultation on draft determination including any conference if called.
November/December 2012	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Megan Cunningham on (03) 9290 1856.

Yours sincerely

per 

David Jones
Director
Adjudication Branch

A91316-A91320 - Medicines Australia - Interested Parties List

Abbott Laboratories
ACT Health
Adam Dunn
Alphapharm
Amgen Australia Pty Ltd
Andrew McLachlan
Anthony Smith
Australasian College of Dermatologists
Australasian Medical Writers Association
Australia and New Zealand Bone and Mineral Society
Australian General Practice Network
Australian Institute of Medical Scientists
Australian Medical Association
Australian Nursing Federation
Australian Self Medication Industry
Australian Skeptics
Australian Society of Anaesthetists
Baxter Healthcare
Bayer Schering
Bebe Loff
Bill Madden
Boehringer Ingelheim Pty Ltd
Bristol-Myers Squibb
Bruce Arnold
Central Hospital Supplies
CHOICE
Chris Del
Christopher Scanlon
Communications Council
Consumers Federation of Australia
Consumers Health Forum of Australia
Council of Australian Therapeutic Advisory Groups
CSL Limited
Datapharm Australia
David Newby
Department of Health and Ageing
Department of Health, ACT
Department of Health, NSW
Department of Health, South Australia
Department of Health, Victoria
Department of Health, Western Australia
Doctor's reform society
Ed Silverman
Eleanor Milligan
Electronic Distribution Working Group
Ferring Pharmaceuticals
Gavin Mooney
Generic Medicines Industry Association
Geraldine Moses
GlaxoSmithKline
Glenys Nall
Hans Lofgren
Healthy Skepticism Inc
Ian Haines
Jane Robertson
Jelena Ilic
John Dwyer
Kathy Holloway
Ken Harvey
Krisantha Weerasuriya
Lisa Nissen
Lloyd Sansom
Loane Skene

Louis Roller
Lynn Weekes
Marcello Costa
Martin Tattersall
Mary Murray
Medical Technology Association of Australia
Mental Health Council of Australia
Mental Illness Fellowship of Australia
Merck Serono
Merck Sharp
Michael Moore
Michael Vagg
Mr Henry Ko
National Medicines Policy Committee
National Prescribing Service
Novartis
NSW Health
NSW Therapeutic Advisory Group
Pasulj Stehlick
Peter Haines
Pharma in Focus
Pharmaceutical Benefits Scheme
Pharmaceutical Society of Australia
Pharmacy Guild of Australia
PriceWaterhouseCoopers
QLD Health
Quintiles Pty Ltd
Ric Day
Richard Laing
Roche
Rollo Manning
Royal Australasian College of Physicians
Royal Australasian College of Surgeons
Royal Australian College of General Practitioners
Royal Australian College of Medical Administrators
Sanofi-aventis
Servier Laboratories (Aust) Pty Ltd
Sigma Pharmaceuticals
Society of Hospital Pharmacists of Australia
South East Sydney Local Health District Drug and QUM Committee
Southern Adelaide Health Services
Stephen Basser
Steve Hambleton
Sue Phillips
Susan Walters
Tasmania Health
Terry Kelly
The Pharmaceutical Society of Australia
The Royal Australian & New Zealand College of Psychiatrists
Therapeutic Goods Administration
Thomas Faunce
University of SA, School of Pharmacy and Medical Sciences
VIC Health
Wendy Lipworth