

Dear Ms Macrae and Mr Basile,

Thank you for forwarding the submission provided by Medicines Australia following the pre-decision conference.

With respect to the timing of further transparency developments Medicines Australia commented that providing authorisation of the Code for only one year would be "unworkable" because the Code review process (and the consultations involved) takes around 2 years and this cannot commence until the Transparency Working Group (TWG) has released its final report in December 2013.

I am a member of the TWG. Participants at the second meeting of the TWG held on November 12, 2012 agreed that a less complex and more pragmatic model of disclosure (compared to the US Physicians Payments Sunshine Act) can be developed for Australia.

To assist this process, a presentation has been commissioned from one to two pharmaceutical company compliance managers for the February 2013 meeting of the TWG. It is understood that Australian companies who are also based in the U.S. already collect the data required for the US Physicians Payments Sunshine Act as part of their contractual agreements with health care professionals (HCP). See attached. All that is required to implement full disclosure of these individual relationships with HCP is to add a clause to new contracts stating that the details will be made publically available on Medicines Australia web site at 6 monthly intervals. HCP who are not happy with such disclosure can decline to be contracted by pharmaceutical companies.

We believe the details of the suggested contracts, including common definitions for reporting the various financial relationships that HCP have with pharmaceutical companies, can be finalised by the middle of 2013 allowing ample time for this small addition to the Code to be agreed by Medicines Australia members prior to implementation in 2014.

In short, our suggestion that the ACCC grant only one year's authorisation to the 17th Edition of Medicines Australia Code, serves only to allow the increased transparency provisions to be added to take effect from 2014. We have never suggested that a total review of the Code should take place at this point of time.

Dr Ken Harvey on behalf of Philip Morris, Ian Haines, Bob Arnold, Ray Moynihan and Carol Bennett (participants at the pre-decision conference).

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