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20 February 2015

Dr Richard Chadwick
General Manager, Adjudication
Australian Competition and Consumer Commission
23 Marcus Clarke Street
Canberra ACT 2601

Dear Dr Chadwick

**Medicines Australia: Application for Revocation and Substitution
A91436-A91440**

1 Amendment to Code regarding food and beverage expenditure

The ACCC has expressed a concern that the \$120 cap on food and beverage expenditure provided to healthcare professionals only appears in section 9.4.3 of the Code, which refers specifically to expenditure associated with educational events. As outlined in Medicines Australia's submission of 23 January 2015, Medicines Australia directs member companies (and member companies understand) that the \$120 cap applies to *all* meals provided to healthcare professionals, including those that do not involve educational events.

To address any ongoing concerns the ACCC may have about the application of the \$120 cap and further to your discussions with Medicines Australia, Medicines Australia will amend section 9.1 of the Code to make clear that the cap applies to all situations where a meal is provided to a healthcare professional within Australia, by including the following text at the end of section 9.1:

The maximum cost of a meal (including beverages) stated in Section 9.4.3 applies to all situations where a meal is provided to a healthcare professional within Australia. It applies to Advisory Board meetings, consulting arrangements or any other situation where a meal is provided by a company to a healthcare professional.

2 Editorial amendment to section 41.2.1

Medicines Australia has discovered an editorial omission in section 41.2.1 of the Code and intends to amend that section accordingly. The section sets out the requirement for member companies to provide to Medicines Australia reports on payments made to Advisory Board members between 1 October 2014 and 30 September 2015. The dates by which those reports are due to be provided to Medicines Australia were inadvertently omitted from section 41.2.1 (although they do appear in section 41.4 - Summary of changes to reporting).

Our Ref FVCS:CHBS:206029656

chbs A0132146335v2 206029656 23.01.2015

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Medicines Australia will therefore include a sentence in section 41.2.1 under the sub-heading 'Advisory Boards Report' which reads:

The reports must be submitted to Medicines Australia by 30 April 2015 and 31 October 2015 respectively.

Please let us know if you would like to discuss these amendments.

Yours sincerely

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