



**Australian
Competition &
Consumer
Commission**

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24 April 2015

Dear Sir/Madam

Medicines Australia Limited application for revocation of authorisations A91316-A91320 and substitution of new authorisations A91436-A91440 – final determination

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for re-authorisation (application for revocation and substitution) lodged by Medicines Australia Limited (Medicines Australia) on 2 July 2014.

Medicines Australia has sought re-authorisation in respect of edition 18 of the Medicines Australia Code of Conduct, which is a voluntary industry code of conduct for the prescription medicines industry in Australia.

The ACCC previously granted authorisation to edition 17 of the Medicines Australia Code of Conduct until 11 January 2015.

A copy of the ACCC's determination is attached, including a summary of its reasons. For the reasons set out in its determination, the ACCC has decided to grant conditional authorisation for five years. The ACCC's assessment is set out in Chapter 4 of its determination.

In edition 18 of the Code, Medicines Australia proposes to require its member pharmaceutical companies to report certain benefits made to individual healthcare professionals. The conditions of authorisation require:

- Medicines Australia member companies to ensure, before providing a relevant benefit to a healthcare professional, that the benefit will be able to be individually reported
- the transparency data to be published in a common accessible format
- the transparency data to be made publicly available for at least three years from the date of first publication
- Medicines Australia to use reasonable endeavours to establish a central reporting system for reporting this transparency data and provide regular reports on its progress in doing so.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An

application for review must be made within 21 days of the date of this determination; that is, on or before 15 May 2015. If no application to review is lodged by this date, the ACCC's determination will come into force on 16 May 2015.

An application for review of the ACCC's determination should be lodged directly with the Australian Competition Tribunal. The Australian Competition Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the process involved in reviewing decisions in the Australian Competition Tribunal please refer to the tribunal's website located at <http://www.competitiontribunal.gov.au/>.

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 Tess Macrae on 03 9290 1835 or adjudication@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Richard Chadwick', with a long horizontal stroke extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch