

# GUIDANCE ON SPONSORSHIP RULES IN THE AIFP CODE OF CONDUCT – VENUES/LOCATIONS

In the course of the implementation of the AIFP Code of Practice for the Promotion of Medicines, a number of questions have been raised by AIFP members with respect to the interpretation of Article 7 (“Travel and Meeting Sponsorship”). In this context, as requested by many members, we provide below some guidance as put together by the members of the AIFP Ethics Committee and AIFP Transparency & Compliance Working Group at their respective meetings during the year 2015. The guidance concerns mainly the interpretation of “venues renowned for their entertainment facilities”, “extravagant and luxury venues”, the level of acceptability of “entertainment” at scientific and professional events.

This document is not a formal part of the Code of Conduct, it is merely intended to provide guidance for persons responsible for approving sponsorships of professional events at individual member companies. Nevertheless, this document shows the principle that will be applied by the Ethics Committee when assessing compliance of sponsoring activities of the members under the Code of Conduct. The document will be kept under review.

These interpretation rules have suspended effectiveness until 1. 1. 2017; until then, incompliance shall not be considered a breach of the AIFP Code of Conduct.

## 1. Current regulation in the AIFP Code of Conduct

According to Article 7 of the Code (TRAVEL AND MEETING SPONSORSHIP), Members support events for purely professional and scientific purposes, such as scientific meetings, scientific congresses within or outside the Czech Republic (the “Meetings”).

The sponsorship can be provided in two forms:

- a. Sponsorship of Healthcare Professionals attending Meetings organized by third parties; or
- b. Member sponsored Meetings / Stand alone Meetings

As regards the venue of the Meetings sponsored by AIFP Members according to letters a. and b. above, there is currently a rule in place in relation to the Stand alone Meetings which stipulates (Section 7.3 letter d) that:

*“Members should avoid using venues that are renowned for their entertainment facilities.”*

There is no such rule currently in place with respect to sponsorships provided in connection with Meetings organized by third parties.

## 2. Question

Shall AIFP, through its Ethics Committee, when reviewing terms or deciding on compliance of the sponsorships provided by the Members according to Article 7 of the Code, consider certain venues/locations (e.g. skiing resorts in winter, etc.) as unacceptable irrespective of the agenda/quality of the Meeting?

## 3. EFPIA Rules

### 3.1. EFPIA HCP Code:

- *“Section 10.01. All promotional, scientific or professional meetings, congresses, conferences, symposia, and other similar events (including, but not limited to, advisory board meetings, visits to research or manufacturing facilities, and planning, training or investigator meetings for clinical trials and non-interventional studies) (each, an “event”) organised or sponsored by or on behalf of a company must be held in an “appropriate” venue that is conducive to the main purpose of the event and may only offer hospitality when such hospitality is appropriate and otherwise complies with the provisions of any Applicable Code(s).”*
- *“Section 10.08. Hospitality shall not include sponsoring or organising entertainment (e.g., sporting or leisure) events. Companies should avoid using venues that are “renowned” for their entertainment facilities or are “extravagant.”*
- *“Section 13.01. Companies must comply with criteria governing the selection and sponsorship of healthcare professionals to attend training or events as provided in, or in connection with, any Applicable Code(s). Funding must not be offered to compensate merely for the time spent by healthcare professionals in attending events. In the case of international events for which a company sponsors the attendance of a healthcare professional, if any funding is provided to such healthcare professional in accordance with the provisions of this Section 13.01, such funding is subject to the rules of the jurisdiction where such healthcare professional carries out his/her profession, as opposed to those in which the international event takes place. For the avoidance of doubt, this Section 13.01 is not intended to prohibit the extension of hospitality to healthcare professionals in accordance with Article 10 hereof.”*
- *“Section 10.09. Member associations shall provide guidance on the meaning of the term “reasonable”, as used in this Article 10. Member associations shall also provide guidance on “appropriate”, “renowned” and “extravagant” venues, as used in Section 10.01 and Section 10.08. Companies must comply with any relevant*

guidance provided under this Section 10.09 in connection with any Applicable Code(s).”

### 3.2. EFPIA Q&A (examples, edited):

- “Would hospitality offered, for example, at Disneyland in Paris, be considered an “appropriate venue”? No, it is not considered acceptable.
- What about Munich? It is not acceptable during the traditional tourist season, such as the beer festival period, but may be acceptable outside this period.
- What about skiing resorts? Hospitality at skiing resorts (such as Davos) is not acceptable in the winter, but may be acceptable in the summer“.

### 3.3. EFPIA: e4ethics - Educational Events & Ethical Evaluation:

- Scientific Program Schedule / Structure.
- Location and Venue.
- Hospitality Provided (Directly or Indirectly) to HCPs.
- Other Activities.
- Accompanying Persons.

## 4. Position of AIFP and its working groups

AIFP’s interpretation of notions of:

“**extravagant**” – all luxurious and lavish venues not usually perceived as congress-type of venues for business events (e.g. casinos), including any hotels rated higher than 4\*, etc.

“**renowned**” – venues generally known and recognized for its particular quality or nature such as sport, culture, entertainment and leisure time or touristic and sightseeing destinations, etc.

The AIFP Members shall refrain from providing sponsorships in connection with (i) third party organized Meetings and (ii) Member organized / Stand alone Meetings in case that the relevant Meeting would take place:

- In a skiing resort in winter, i.e. 1 December – 31 March;
- In a resort renowned for summer-sports facilities during summer holidays season, i.e. 1 July – 31 August;
- In a venue renowned for its entertainment/wellness facilities (golf resorts, spa/wellness, etc.); - for the avoidance of doubt, for the purposes of this document, sponsoring of events that take place in health spa towns (lázně) is not prohibited provided, however, that the actual venue and other conditions of the sponsorship meet the requirements set forth in this document and the Code (i.e. no extravagant/luxurious facilities – namely 5\* hotels etc.);
- In a castle/chateau and similar venue located outside of the context of a city and renowned primarily as a sightseeing destination;

- In a venue which is primarily known for its touristic or holiday facilities, e.g. places of agro tourism, wine cellars, horse racing tracks, etc.
- In or nearby a venue hosting a recognized sporting or cultural event at the same period of time;
- In a location which is promoted/viewed as the main attraction of the event (e.g. gallery, certain museums, etc.);
- ...other inappropriate venues (based on ad hoc decisions of the AIFP EC)

The providers of accommodation often include in the price for accommodation additional free of charge benefits, such as free access to a swimming pool, sauna, fitness and alike. If such benefit is automatically provided by the provider of accommodation within the basic/standard price of the accommodation and there is no need to pay an additional charge or choose a higher category of a room to achieve this benefit, and at the same time there is no other option for accommodation without this additional benefit included in the particular situation, such accommodation even including this type of benefit, may be still considered appropriate.

With the exception of the extravagant venues, the above restrictions do not apply in case of events organized in a capital city of the country (*Prague*) or a region (*krajská města*) provided that the hospitality provided is appropriate and other requirements of the Code of Conduct are met.

## 5. Major congresses organized in the Czech Republic

For the purposes of classifying professional events with respect to the above described principles, the assessment of a particular congress or other professional event shall always reflect the two main criteria:

- Nature of the venue/location; and
- Season in which the event takes place, e.g. winter (skiing resort), autumn (a place, where vintage event is organized concurrently) etc.

In addition, the AIFP Ethics Committee is of the opinion that the following parameters should still be reviewed when making an assessment of a particular event:

- Agenda of the event;
- The amount of registration fee and what it covers;
- The scope of auxiliary/non-professional activities organized/offered/available;
- Active offering of program for fellow travelers;
- Overall presentation of the event by the organizer.

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