

Transparency Guidelines of 1 January 2018

Preamble

According to the Swiss Medtech Code of Ethical Business Practice («Code»), from 1 January 2018 member companies are no longer permitted to pay registration fees, travel and accommodation costs for third party-organised educational conferences directly to healthcare professionals.

Medical education can, in compliance with the provisions of the Code, be supported through the provision of educational grants to healthcare organisations. In order to prevent this from being abused, specific safeguard clauses have been developed, which create an obligation to publish these educational grants and make them transparent.

All terms that are used in these Transparency Guidelines correspond to the terms defined in the Code.

Chapter 1: Scope of the Guidelines

1. Scope

Chapter 4, Section 3 of the Code sets out that member companies («Members and Member Companies») must document and publish all educational grants («Educational Grants») in accordance with the Transparency Guidelines.

The Transparency Guidelines apply to all relationships between Members or Member Companies and Swiss healthcare organisations and healthcare professionals that fall within the scope of the Code and are active in Switzerland.

Grants from Members or Member Companies that are used to promote actual medical education to professional conference organisers who are independent of a healthcare organisation also fall within the scope of the Transparency Guidelines with regard to Educational Events in Switzerland.

Transfers of funds that do not fall under the definition of Educational Grants according to Chapter 4, Section 3 of the Code are not covered by the scope of these Transparency Guidelines.

Chapter 2: Disclosure obligation

1. General obligation

Each Member or Member Company should document in writing the payment of Educational Grants (as defined in Chapter 4, Section 3 of the Code) to healthcare organisations in accordance with the scope of the Code and irrespective of the value of the grant and should publish them in accordance with these Transparency Guidelines.

2. Aggregated disclosure

Educational Grants should be disclosed on an aggregated basis. Each Member or Member Company, as well as the companies which fall under common control, should disclose the Educational Grants per calendar year. The disclosure should fall under one of the following categories and should name each individual recipient:

- a. Educational Grants for third party-organised events (these also include support to enable medical professionals to attend third party-organised educational events) and,
- b. Other Educational Grants to healthcare organisations (this includes scholarships, fellowships and/or grants for public awareness campaigns).

The sums are disclosed on an aggregated basis per category and recipient.

3. Voluntary clarification of the purpose

Members and Member Companies can also voluntarily disclose the purpose of the Educational Grants for one or more of the categories listed under Section 2.

4. Methodology

Each Member or Member Company should produce a summary describing the methodology that has been applied in order to ensure that the Educational Grants are disclosed and identified as set out in Section 2.2.

The report should include a general summary: it should describe the recording methodology, include statements on the handling of VAT and other tax aspects, describe currency aspects and the timescale, and should show the amounts of Educational Grants. The report on the methodology must be made available following a request by one of the healthcare organisations concerned.

Chapter 3: Disclosure requirements

1. Reporting period

The reporting period is one full calendar year.

2. Time of disclosure

Disclosures are to be made no later than 31 August of the reporting period of the following year in each case.

3. Duration of publication

The disclosure should remain publicly accessible for at least three full calendar years following its initial publication.

4. Template and language for the disclosure

In order to ensure uniform application, in accordance with the disclosure guidelines, statements must be made in an official language (or in English). The accompanying template in the annex should be used for this purpose (Annex 1).

5. Publication platform

Disclosures should either be made on the Member or Member Company's website or otherwise on the Swiss Medtech website.

Members or Member Companies that intend to publish disclosures on their own website must ensure that the website used for this purpose is the main one that they use for communication about their company products with their customers in Switzerland.

Members or Member Companies that intend to publish disclosures on the Swiss Medtech website should send the fully completed template provided by Swiss Medtech (Annex 1) to the Swiss Medtech Office no later than 30 June in the year following the reporting period. Swiss Medtech is responsible for publishing the notifications it receives.

Members or Member Companies that choose to publish their disclosures on the Swiss Medtech website remain exclusively responsible for the accuracy of the data disclosed. Swiss Medtech cannot be responsible for updating or correcting the published data. Swiss Medtech will delete the data on its website in the calendar year following the three-year publication period.

Approved by the Board of Swiss Medtech and brought into force on 1 January 2018.