



Grants and charitable donations

The Medical Device Code of Ethical Marketing and Business Practice

December 2020

Charitable donations: What are they exactly?



Cash



Equipment



Products

- for use for charitable/philanthropic purposes
 - and/or to benefit a charitable/philanthropic cause
- to bona fide charities or NPOs
 - whose main objective is charitable/philanthropic
- must not be contingent on past/future custom/support

Case study 1

Hospital X requests a donation of hospital gowns. Is my company allowed to donate any gowns?

- Criteria
 - Product ✓
 - Not for gain ✓
 - Charity/NPO ✗
- Conclusion
 - Hospital X is not a charity or an NPO;
 - Hospitals are not generally considered to have charitable and/or philanthropic functions as their main purposes
 - Donation is **not** permissible

Case study 2

My company supports The Gift of Vision's (a recognized NPO) Annual Ball by the purchase of 2 tables of 10. All proceeds are utilised towards petrol and equipment in their mobile units.

- Criteria
 - Donation ✓
 - Cash ✓
 - Not for gain ✓
 - Charity/NPO ✓
 - Proviso – company may not invite HCP's
- Conclusion
 - Charitable donations may take the form of invitations for a fundraising event if arranged by a charity/NPO
 - Donation **is** permissible

Grants

What do we mean?

Educational Grants

- provided by companies to HCOs
- Grants may not be provided to individuals
- purpose is the support of genuine medical education

Selection of HCPs

- HCP's are selected by the receiver of the grant
- Companies may suggest type of recipients
- May not specify individuals



Types of Educational Grants

Support for Third Party Organised Educational Events:

- Support for HCPs participation
- Support for event

Scholarships and fellowships

Grants for public awareness campaigns

Can only be provided to Healthcare Organisations

Requirements for Educational Grants

Requirements	Support for Third Party Organised Educational Events	Scholarships & fellowships	Grants for public awareness campaigns
Financial support publicly disclosed?	YES	YES	YES
Can be provided to individual HCPs?	NO	NO	NO
Written agreement and other documentation?	YES	YES	YES
An independent decision-making/review process implemented by the company?	YES	YES	YES
Provided on "restricted" basis?	YES	YES	YES
Compliance with general criteria for Events	YES	N/A	N/A

Requirements for Grants and Charitable Donations

Requirements	Charitable Donations	Educational Grants	Research Grants
Can be provided to individual HCPs?	NO	NO	NO
Can be provided to HCOs?	NO (unless it is a charitable organisation/ other non-profit entity; or for non-profit hospitals in case of demonstrated Financial Hardship under certain conditions)	YES	YES
An independent decision-making/ review process implemented by the company?	YES	YES	YES
Provided on “restricted basis” (i.e. control over the final use of funds)?	NO (except to ensure that the funds are applied for charitable/philanthropic purposes)	YES	YES
Written agreement and other documentation?	YES	YES	YES
Financial support publicly disclosed?	NO	YES	NO