

## **SAMED Directive regarding Conference Venues**

Attention: SAMED members and stakeholders

In line with international developments whereby some medical device companies are prohibited from offering aspects of sponsorship at venues that are considered resorts, SAMED has taken a decision not to provide comment / advice regarding the appropriateness of conference venues. SAMED also does not have a venue vetting system.

Rather each SAMED member must make that decision for themselves, taking into account any internal policies and code/s they might be bound by, including the SAMED Code.

We therefore advise stakeholders to the industry e.g., conference organisers, doctor societies etc to first consult with the trade, in particular the Multi Nationals and get an indication from them prior to finalising a venue for their event as to whether they can indeed support the event if it is being held at a particular venue. Such stakeholders can then make an informed decision as to whether they will receive sufficient support from the trade in order to make holding an event at a particular venue, viable or not.

The Medical Device Code of Ethical Marketing and Business Practice contains the following clauses which may provide guidance in respect of this matter:

### **PART 1: Interactions with HCPs**

#### **Chapter 1: General criteria for events**

Member companies may invite HCPs to company events and third-party organised educational events, conferences and procedure training. The principles and criteria set out in this chapter shall apply to all such events supported in any way by member companies, irrespective of who organises the event.

##### **1. Event programme**

The event programme should directly relate to the specialty and/or medical practice of the HCPs who will attend the event or be sufficiently relevant to justify the attendance of the HCPs. For third-party organised educational events, the agenda should be under the sole control and responsibility of the third-party organiser. The meeting and event should be appropriate to all delegates' scope of practice.

A member company shall not organise events which include social, sporting and/or leisure activities or other forms of entertainment, nor support such elements which form part of third-party organised educational events. For third-party organised educational events, entertainment must be outside of the educational programme schedule and paid for separately by the HCPs. The registration fee should cover only the scientific programme and hospitality.

Entertainment should not dominate or interfere with the overall scientific content of the programme and should not be the main attraction of the event. Advertising support (brochures,

website and other materials) should highlight the scientific nature of the programme content. The materials should not emphasize the geographic location and should not make excessive or inappropriate references to or contain images of entertainment, sporting events or other non-scientific activities, which could be seen as promoting the location/venue instead of the event content.

**The direct sponsorship of HCPs to attend third-party organised educational events is prohibited.**

Type of event	Applicable rule
Third-party organised educational events (main programme)	Companies are prohibited from directly supporting a healthcare professional, neither as a delegate nor as a speaker. Companies may consider indirect sponsorship in the form of an educational grant, provided that the requesting entity fulfils the requirements as per the definition of a "third-party".
Company-organised events in the framework of third-party organised events (e.g. satellite symposia)	Companies may directly support speakers (i.e. their consultants) at the company-organised event but not delegates
Third-party organised procedure/hands-on trainings	Companies may support delegates but not speakers, the latter being independent
Company-organised product/procedure trainings	Companies may directly support a healthcare professional either as a delegate and/or as a speaker

The criteria for selection of attendees/invitees must be transparent and available on request for scrutiny. Payment of registration fees, travel and accommodation must be made to the professional associations/organisers and not directly to the HCP or their administrative staff. No payment may be made to the HCP for time spent at the event.

Advertisement and promotion at events is subject to relevant domestic legislation and / or regulations.

For speakers at company arranged events, payment of reasonable honoraria and reimbursement of out-of-pocket expenses, including travel, are permissible provided it is in terms of a written contract.

## **2. Event location and venue**

The event location and venue should not become the main attraction of the event. For the location and the venue, member companies must take into account at all times the following considerations:

- Potential adverse public perceptions of the location and venue for the event. The perceived image of the location and venue must not be luxury, or tourist/holiday-oriented, or that of an entertainment venue.
- The venue should be a business or commercial centre providing conference facilities conducive to the exchange of scientific and medical information and the transmission of knowledge.
- No company may organise or sponsor an event that takes place outside its home country unless:
  - Most of the invitees are from outside of its home country and, given the countries of origin of most of the invitees, it makes greater logistical sense to hold the event in another country.
  - Given the location of the company's training facility, relevant resource or expertise that is the object or subject matter of the event, it makes greater logistical sense to hold the event in another country (an "international event").

Further considerations to be taken into account:

- Central location - taking into account the place of origin of the majority HCP invitees, the venues selected must be centrally located.
- Capitals and major cities are recommended.
- The ease of access – The geographic location should have ease of access for the attendees (for example, close proximity to airports, train stations, highways) and have good ground transportation infrastructure.
- Venues situated on the beachfront can be considered under the following circumstances:
  - There are no suitable alternative venues in the geographic location.
  - The venue is not considered as luxurious in nature. In general, a 5-star rated venue would not be considered appropriate.
  - The venue is well known as a business or commercial centre conducive to the exchange of scientific or medical information.
- In general, the following venues will not be considered compliant:
  - Resort venues (meaning a venue which is part of a complex offering significant recreational, amusement or sporting facilities).
  - Cruise ships, golf clubs (including those owned or operated by a hotel), spas (where the spa is the main attraction and well known for its spa facilities), wine estates or venues with on-site casinos.
- The image of the location among the **public, media and authorities** cannot be perceived as a purely luxury, touristic/holiday and/or entertainment venue.
- The financial advantage that a venue rental may present should not be considered a factor when deciding on the appropriateness of a venue.

### 3. Guests

Member companies are not permitted to pay for meals, travel, accommodation or other expenses for guests or spouses of HCPs.

#### **4. CPD meetings**

No product promotion is allowed in the CPD meeting room. Company-branded items/promotions are permissible.

Speakers should, in so far as possible, use the non-proprietary names of products during CPD events. Companies must make it known to speakers that the use of trade names, in order to promote a particular product, is not permitted.

#### **5. Reasonable hospitality**

Member companies may provide reasonable hospitality to HCPs in the context of company events and third-party organised educational events but any hospitality offered must be subordinate in time and focus to the event purpose.

The Code seeks to find a balance between the courteous and professional treatment of HCPs by member companies, with the desire to avoid even the appearance that hospitality may be used by member companies as a means to induce HCPs to purchase, prescribe or recommend member companies' products. Accordingly, member companies must assess what is "reasonable" in any given situation and regional variations will apply. As a general guideline, "reasonable" should be interpreted as the appropriate standard for the given location and must comply with the national laws, regulations and professional codes of conduct.

The term "hospitality" includes meals and accommodation and it is important that member companies differentiate between "hospitality" which is permitted and entertainment which is not.

Accommodation and/or other services provided to HCPs should not cover a period of stay beyond the day before and the day after the official duration of the event.

#### **6. Travel**

##### **General principles**

Member companies may only pay or reimburse for reasonable and actual travel. Travel may be arranged by the sponsoring company (or their designated travel agent). Travel provided to HCPs should not cover a period of stay beyond the day before and the day after the official duration of the event.

##### **International travel**

Member companies may sponsor business class travel for HCPs **only** for:

- Faculty members irrespective of day of arrival.
- HCPs attending advisory boards and clinical investigations irrespective of day of arrival.

Business class airfares may not be exchanged for two economy tickets so that a companion/spouse may accompany the HCP.

Premium economy flights may be considered in the class of international economy travel; however, perception and cost are important factors when deciding whether premium economy flights may be acceptable. First class is never appropriate.

For any other travel, economy class travel is the standard class of travel that companies may offer HCPs to attend both international and local events, including congress attendance and site visits.

## **7. Satellite Symposia**

Member companies may purchase satellite symposia packages at third-party organised educational conferences and provide presentations on subjects that are consistent with the overall content of the third-party organised educational conference. Member companies may determine the content of these satellite symposia and be responsible for speaker selection.

## **8. Transparency**

When meetings are sponsored by companies, other organisations or by individuals, the fact must be disclosed in the papers relating to the meetings and in any published proceedings. The declaration of sponsorship must be sufficiently prominent to ensure that readers are aware of it at the outset.

## **9. Third-party Organised Procedure Training**

Member Companies may support Third-party Organised Procedure Training either via Educational Grants or by providing financial support directly to individual Healthcare Professionals to cover the cost of attendance at Third-party Organised Procedure Training sessions i.e. member Companies may pay for travel, hospitality and the registration fee.

For queries on the above please email: [info@samed.org.za](mailto:info@samed.org.za)