



PURPOSE AND SCOPE

The following policy is intended to guide the Australian Chinese Medical Association Victoria Inc Committee and Staff Members with the management of potential conflicts, primarily through disclosure of all financial or other interests that might be construed as giving rise to an actual, potential, or apparent conflict. Note that when ACMAV is used as an abbreviation, it refers to both ACMAV Inc and the ACMAV Foundation.

This policy is to be considered in the context of the Royal Australasian College of Physicians Guidelines for Ethical Relationships between Physicians and Industry, the Royal Australasian College of Physicians Guidelines for Ethical Relationships between Physicians and Industry and Notes, the Australian Medical Association Position Statement on Doctors' Relationships with the Pharmaceutical Industry and Edition 15 of the (Medicines Australia) Code of Conduct under the Trade Practices Act (1974).

This policy applies to all ACMAV Committee and Staff Members.

POLICY

The ACMAV has a responsibility to ensure that its Committee and Staff Members conduct themselves in an ethical manner. The purpose of this policy is to clarify the responsibilities of Committee and Staff Members with respect to conflicts of interest. This will help to ensure that an actual, or perceived conflict of interest between a Committee or Staff members' interests and their ACMAV duties and responsibilities, that the conflict of interest will be managed in an appropriate manner.

The ACMAV recognises that representatives of pharmaceutical, pathology, radiology, locum and other companies need to present material about their company's products to health care professionals as part of medical education and most health care professionals use this information in their practice and in their professional development. However, such promotion must not occur at inappropriate times and places, and there must be no conflict of interest arising from such activity.

DEFINITIONS

The term '*conflict of interest*' refers to situations in which financial or other personal considerations may compromise, or have the appearance of compromising, an employee's professional judgement in clinical, research, advisory, educational, administrative or other professional activities.

A conflict of interest may arise in the following situations:

- The use of ACMAV resources, including the time of staff, facilities, reputation or other assets, for outside activities which do not directly benefit the ACMAV.
- Relationships that might enable a Committee or Staff Member to influence ACMAV's dealings with an outside organisation or individual in a manner which leads to personal gain or to improper advantage for that Committee or Staff Member or anyone else. Such a conflict of interest may exist where an or a member of that Committee or Staff Member's family has a financial interest in an entity with which ACMAV engages in business and the Committee or Staff Member is in a position to influence relevant business decisions of ACMAV.
- Activities for which employees are personally remunerated by an individual or organisation external to ACMAV that involves, or might reasonably be perceived to involve, ACMAV, its name, its facilities or equipment.
- When a Committee or Staff Member or a member of that Committee or Staff Member's immediate family accepts compensation, gifts, gratuities or other favours, with a monetary value of \$200.00 or greater, from any person or organisation doing business or seeking to do business with ACMAV or otherwise involved in or seeking to be involved in the authorised activities of ACMAV.



PROCEDURE

Potential Conflict of Interest with Committee or Staff Members

- 1.1 The existence of multiple interests does not automatically constitute a conflict of interest.
- 1.2 The identification of a conflict of interest does not imply wrongdoing. In most instances, disclosure of the conflicting or potentially conflicting interest to the Committee will itself suffice to protect the integrity of the activity.
- 1.3 The Committee will undertake an evaluation of the potential conflict situation and may conclude that:
 - No conflict of interest arises and no further action is necessary;
 - A conflict of interest arises and one or more of the available courses of action to deal with the conflict is/are to be implemented; or
 - The situation requires a higher level of review. External legal advice or consultation with authorities and/or regulatory bodies may be necessary.

Industry Promotion and Sponsorship

- 1.4 ACMAV endorses the Medicines Australia Code of Conduct (Edition 15, December 2006) which regulates the accuracy of promotional material and activities, and makes broad statements about the importance of such promotion not being overly intrusive.
- 1.5 Types of promotional activities which may, from time to time, be used by the pharmaceutical, radiology, pathology, locum and other industry include the following:
 - Pharmaceutical company displays;
 - Pharmaceutical company promotional activities to medical and other staff;
 - Provision of product samples to members by pharmaceutical company representatives for use with members' own patients;
 - Advertising or advertorials in ACMAV publications (newsletters, magazines, website, emails etc);
 - Sponsorship of educational seminar meetings and conferences;
 - "Ex-gratia" payments or grants to individuals or projects; and
 - Provision of equipment.
- 1.6 Requests for promotion and sponsorship by industry should be arranged by the ACMAV Committee. Contact and interest may be initiated by industry representatives in the first instance, but ongoing communication must be arranged by the ACMAV Committee.
- 1.7 **Sponsorship of Seminars and Conferences**
 - a) Sponsorship of such meetings should be acknowledged at the beginning of the meeting.
 - b) Industry representatives are permitted to display product information and educational materials at seminars and events that they sponsor. Materials distributed at such meetings should be educational rather than promotional in nature.
 - c) The company may recommend speakers but it is up to the ACMAV Committee to independently evaluate, contact and select a speaker for each seminar or presentation without influence from the company.
 - d) Except for special training on a specific product as dictated by the ACMAV Committee, seminars should address general topics rather than being specifically oriented towards one product.
 - e) Any case studies presented at such meetings must be de-identified unless patient consent has been obtained in writing. Otherwise, no patient specific or identifiable data should be presented.



1.8 Sponsorship of Publications

- a) ACMAV publications include the Meridian Newsletter, the Qi Magazine, the ACMAV.org website, the membership email list, and any other publication printed or electronic from the ACMAV.
- b) Sponsorship of ACMAV publications are allowed through appropriate advertisements and other promotional material. Pharmaceutical sponsorship must conform to the Medicines Australia Code of Conduct (Edition 15, December 2006).
- c) Advertisements and advertorials (industry-sponsored articles) must not be designed to resemble editorial matter unless clearly identified as an advertisement.
- d) The Meridian Newsletter editor, the Qi Magazine editor and the ACMAV.org webmaster should seek approval from the ACMAV Committee if there are any question of appropriateness of sponsorship.

Provision of membership details to industry sponsors

- 1.9 The ACMAV take membership privacy very seriously. ACMAV membership contact details will not be released to third parties, including industry sponsors, without written express consent from the member.
- 1.10 The ACMAV may provide to industry sponsors de-identified membership data for statistical purposes in relation to specific meetings that may have been sponsored. However, no member specific or identifiable data must be provided without written express consent from the member.

REFERENCES

[Australian Medical Association Position Statement on Doctors' Relationships with the Pharmaceutical Industry](#)

[Edition 15 of the \(Medicines Australia\) Code of Conduct, 6 December 2006, under the Trade Practices Act \(1974\)](#)

[The Royal Australasian College of Physicians Guidelines for Ethical Relationships between Physicians and Industry](#)

[The Royal Australasian College of Physicians Guidelines for Ethical Relationships between Physicians and Industry and Notes](#)