



COMPLAINT IN TERMS OF THE CODE OF MARKETING PRACTICE

Kindly submit the complaint to info@marketingcode.co.za

Complaints and appeals should where possible be initiated and administered by the Compliance Officer or the Responsible Pharmacist for medicines or the Compliance Officer or Authorised person for medical devices and IVDs.

Date: _____ Case Number Issued by the MCA: _____

DETAILS OF COMPLAINANT:

1. Complainant

1.1 Name of Company: _____

1.2 Name of CEO: _____

2. Company Representative in respect of this complaint

2.1. Full Names and Surname: _____

2.2. Job Title: _____

2.2. Qualification: _____

2.3 Date of latest "Code certification" with the MCA: _____

3. Contact Details of Company Representative

3.1 E-mail Address: _____

3.2 Mobile Number: _____

3.3 Work Telephone Number: _____

4. DETAILS of the person/organisation who is the subject of the complaint.

4.1 Product which is the subject of the complaint? (If more than one product in a range is implicated, mention all dosage forms).

4.2 Name of Company/Individual/Organisation complained against:

4.3 Name of the Company Representative with whom you have attempted to resolve this issue on a company-to-company basis:

4.4 Contact Details of Company Representative

E-mail Address: _____

Mobile Number: _____

Work Telephone Number: _____

5 Details of attempts to solve the matter amicably company-to-company (Code s48.1, s48.2.1):

5.1 When were incident/s of alleged infringement first noted?

5.2 Summary of engagements to resolve the matter company-to-company: Attach details to the complaint.

Date	Nature of contact: e.g. Correspondence, phone call or face-to-face meeting	Outcome of engagement

Note: Issues that have not been discussed/debated in the company-to-company process cannot be brought before the MCA. They should either be raised ahead of a formal complaint in the company-to-company process or be the subject of a separate complaint.

NATURE OF COMPLAINT

6 Alleged Infringing Clause(s) and promotional item concerned

Reference to clause in code (s48.3)	Promotional piece/activity infringing	Copies attached to complaint. Indicate yes/no and reference to the promotional item

7 Summary of Complaint:

7.1 Succinctly describe the essence of the complaint in the table below. Use one line item for each infringement mentioning all promotional piece/activities contravening that clause. You may add blocks to the table if there are multiple infringements. You may add additional information in point 9.

Reference to clause in code	Briefly describe each alleged infringement (refer to all related promotional items) .	Date/period of alleged infringement.	Where did/does it occur

7.2 Is the subject of the complaint still ongoing? Please circle correct answer.
Yes No Don't Know

8 Confirm that in terms of code and MCA requirements, the following documents are attached?

8.1 Complaint Lodging Fee – Proof of Payment (R2850 incl. VAT) (Code s48.3.1)

Yes		No	
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8.2 Evidence of attempt to resolve complaint company- to-company? (Code s48.1, s48.2.1)

Yes		No	
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8.3 If the complaint is based on scientific issues, supporting literature and any studies relied on? (Code s48.2.4, 48.3.3)

Yes		No		N/A	
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8.4 Copies of any advertisements and/or promotional material which may be relevant? They must be clearly referenced to the complaint summary table. (Code s48.2.3, s48.3.4)

Yes		No		N/A	
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9 Submit below, any other information considered relevant to the determination of the complaint? (Code s48.2.4, s48.3.5)

Please include below, your motivation for the complaint, and all information supporting this complaint that you wish to be considered by the respondent and in the adjudicating process. Please address the complaints summary table above and reference comments and related documents to the table.

It is important to consider the nature and extent of your complaint carefully in compiling this form as no additional matters or related documents will be admitted without the express approval of the Executive Officer, after the complaint has been lodged and for the duration of this process (Code s48.2.4).

Additional issues or angles would need to be raised in a separate complaint process.

Notes for clarity on processes to be followed in the administration of the complaint. Adjudication of a complaint is the responsibility of an appointed Adjudicating Committee.

- A formal complaint, received by the MCA, will be acknowledged and given a reference number. No additional issues may be added to the case.
- In the normal course of events, no further supporting documentation related to the complaint will be admitted to a particular process. For exceptions to this rule you are referred to Code s48.9, which procedures must be strictly followed and permission first obtained from the Executive Officer.

- The complaint pack will be recorded and submitted to the respondent, as presented by the complainant. Documentation should be logically compiled, pages numbered and scanned to PDF to ensure the integrity of the submission. Audio clips and other exhibits must be listed on the complaint document to ensure the respondent receives the full pack.
- The Executive officer will forward the pack to the respondent and request a formal response, as soon as possible after receipt and no later than 7 working days from the date of receipt by the MCA.
- The respondent will have an opportunity to respond within 7 working days of receiving the complaint pack.
- Any reply from the respondent will be sent within two working days to the complainant with an invitation to respond.
- No additional issues may be raised or, subject to Code s 48.9, additional substantiating data submitted. The complainant should indicate whether they wish to withdraw the complaint at this stage or proceed to adjudication. The complainant's reply will be shared with the respondent.
- Within 14 days an adjudication committee will consider the matter as directed by the Code.
- Unless explicit approval is granted by the Executive Office following the processes documented in Code s48.9 for the admission of further supplementary evidence, the sequence of correspondence referred to above will be the only documentation that will be considered by the appointed adjudicating committee.

Signature of Responsible Person

Date

Name of Responsible Person

In the event that this complaint has already been lodged with another entity, the MCA will only process the complaint after such complaint has been finalised by such entity and the outcome released.