

The Marketing Code Authority (MCA) is a non-profit, self-regulatory body with voluntary membership drawn from manufacturers of medicines, medical devices and *in vitro* diagnostics (IVDs).

The MCA's Code of Marketing Practice lays down ethical rules for the marketing of medicines by its members.

Key objectives of the MCA are to ensure the independence of healthcare practitioners in deciding on appropriate patient care and the provision of substantive and truthful information in the promotion of health products.



The Organisation at a Glance

WHO ARE WE AND WHAT DO WE STAND FOR?



- ✓ Pharmaceutical companies in many countries have voluntarily, at an association level, developed ethical codes of practice committing to ethical business practice and effective programmes of internal control. ¹
- ✓ The MCA is an example of such a specialised industry association with the willingness and expertise to establish the common practice standards (the Code) and the authority to self-regulate and levy sanctions.
- ✓ The MCA's Code goes beyond providing a framework for establishing and implementing ethical advertising and promotion within companies to providing a framework for regulatory compliance, in this case with the Medicines and Related Substances Act and the Pharmacy Act.

¹ L. Vallalba, 2019



The Code

Putting the best interests of the patient and consumer first

- ✓ The MCA's Code of Marketing Practice provides ethical guidance to manufacturers, healthcare professionals and consumers on the promotion of medicines, medical devices and *in vitro* diagnostics (IVDs).
- ✓ The Code applies to both prescription and over the counter medicines, including complementary medicines and health supplements.
- ✓ Marketing activities to all healthcare professionals, consumers and patient organisations are covered by the Code.
- ✓ Adherence to the Code ensures the independence of healthcare practitioners in deciding on appropriate patient care.
- ✓ The Code provides a framework for ensuring compliance with the advertising and marketing provisions of the Medicines and Related Substances Act and the Pharmacy Act.
- ✓ Relevant company personnel must be trained on the Code and demonstrate competence in application of the Code.
- ✓ The Code is supported by guidelines which assist in the interpretation thereof.



Governance

LED BY A BOARD

A technical team maintains the Code

Constitution: The MCA is governed by a Constitution and a Board.

Executive Officer: The Executive Officer has the responsibility to promote and implement the Code.

Independent Expert Committees: Appointed to adjudicate on complaints and Code interpretation. Responsible for imposition of sanctions.

Technical committee: Members inform Code revisions through the technical committee.

Company Code Compliance Officers (CCOs): Within each member company, CCOs set standards for the approval of advertising, promotional material and events.

Funding: The MCA is funded at arms-length by member companies. Nominal membership fees are calculated pro rata to the turnover of member companies. Finances are overseen by the Board.



Code Breaches

Complaints: Suspected breaches can be reported by member companies, non-member companies, healthcare professionals and the public.
www.marketingcode.co.za/complaints

Administration: The Executive Officer administers the Code's complaint and appeal processes. The outcomes are made public.

Sanction: A fine or sanction may be levied for breaches of the Code. The matter may also be reported to the relevant regulatory authority.

Membership

MEMBERSHIP IS VOLUNTARY. TO QUALIFY FOR FULL MEMBERSHIP COMPANIES MUST:

- ✓ carry on business in the Republic of South Africa as a manufacturer, importer, or distributor of a Health Product as defined in the Medicines Act.
- ✓ agree in writing to be bound by the Code, the MCA Constitution and policies of the MCA.

ASSOCIATE MEMBERSHIP: Open to all stakeholders who would not otherwise be eligible for full membership, such as advertising agencies and service providers. Commitment to, and competence in the application of the Code, are required.



Contacts and Links

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Membership application form:
[www.marketingcode.co.za/MCA Members](http://www.marketingcode.co.za/MCA%20Members)