

## **Code Technical Advisory Committee (CTAC) Draft Rules of Engagement**

### **The Constitution of the CTAC**

The CTAC shall be established by the Marketing Code Authority (MCA) Board to advise the board on technical matters related to the enforcement of the code

The CTAC shall comprise of the following:

- MCA Executive Officer (EO) (Chair)
- MCA Executive Administrator
- A maximum of two representatives from each MCA member trade association
- A maximum of two representatives for independent MCA members

Each trade association will notify the MCA Executive Officer in writing by 1 January of each year as to who will represent the trade association at the CTAC meetings for the year. Any change to the representatives during the year must be communicated to the MCA Executive Officer before any CTAC meeting. The CTAC will appoint a vice chair – one vote per association.

### **Responsibility of CTAC members**

- It is the responsibility of CTAC members to keep member associations represented, informed of issues in discussion at CTAC. Similarly, it is the responsibility of CTAC members to bring issues of concern to their associations, to CTAC.
- CTAC members should notify the Executive administrator of issues they wish to table at a CTAC meeting together with a short summary of the issue at hand.
- The Executive Officer will prepare the agenda for CTAC meetings taking account of issues raised.
- Association representatives will be given the opportunity to introduce topics for discussion at the CTAC meeting at which they are tabled.
- CTAC members are encouraged to be certified on the Code.

### **Responsibility of CTAC**

Whereas it is envisaged that such a Code may be published in terms of section 18C of the Medicines and Related Substances Act No 101 of 1965; and the requirements for the development of Industry Codes of Conduct in terms of Section 82 of the Consumer Protection Act of 2008, the MCA gives the CTAC the following responsibility:

- The compilation of the Code of Marketing Practice (Code) and any changes to the Code to be approved by an AGM of the MCA.
- The compilation of the Guidelines to the Code (Guidelines) and any changes to the Guidelines to be approved by the MCA board.
- Assist and advise the MCA Executive Officer with any Code and Guideline related matters
- Guidance on complaints handling processes

**CTAC engagement**

The CTAC will meet at least every two months or more where appropriate as decide by the EO.

The committee will function between meetings to comment or advise on issues tabled by the EO

Agreement on the Code and Guideline content will as far as possible be consensual but where necessary will be based on a voting system.

- Each association of the CTAC has one vote.
- The independent members will collectively have one vote.
- Where association-specific issues are being debated, the provisions in the Constitution for a veto vote will be applied.
- If a CTAC member is unable to attend a meeting a substitute must be sent or a proxy vote is given to another attendee.
- 100% agreement is considered approval. Should there be no CTAC representative present at a meeting, the association will lose the opportunity to vote. Voting will proceed with the association representatives present.
- If no agreement is reached referral will be made to the MCA Exco and if necessary, to the MCA Board.

**Agendas, Minutes and Issues**

Any CTAC member may table an item for a CTAC meeting agenda. Notification together with a brief introduction to the issue, must reach the EA at least a week before the meeting.

- Agendas and meeting packs will be circulated a week before meetings
- CTAC representatives should solicit input from associations on agenda items and ensure a mandated position, where required, for decisions to be taken CTAC meetings.
- Conflict of interest declarations will be provided for at the start of each meeting and Competition Act warnings read.
- Draft minutes will be circulated within a week of each meeting and will be confirmed at the following meeting.
- A company wishing to table a proposal must first approach their trade association for support. The Trade association will bring the matter to CTAC if it is supported. If CTAC does not support it the company may bring the matter to CTAC and the opinion of the relevant trade association may be requested to be available when the matter is tabled for discussion at CTAC.

Agreed:                   :

Association name/Representative	Date	Signature:


*The initial work on this issue, the by Gene van den Ende/IPASA is acknowledged with thanks.*