

Competition Guidelines Governing IFPMA Meetings

IFPMA's Mission

Founded in 1968, the IFPMA is a global, non-profit, nongovernmental organization. With members across the globe and a secretariat based in Geneva, Switzerland, the IFPMA represents the research-based pharmaceutical industry, including the biotechnology and vaccine sectors. The IFPMA advocates policies that encourage discovery of and access to life-saving and life-enhancing medicines to improve the health of people everywhere.

In carrying out the IFPMA's mission, members meet to discuss policy issues relevant to their businesses. Many of these member companies may be competitors, creating the risk of anti-competitive conduct. These guidelines are designed to ensure that in organising and attending meetings at which competing companies are present, the IFPMA avoids engaging in and facilitating any discussion or activity which might violate the competition laws of Switzerland.

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Best Practices

The following best practices apply to any designated meeting (e.g. Board of Directors or other competitively sensitive meetings) organized or attended by the IFPMA:

- IFPMA Secretariat must be present and remind participants of the Competition Guidelines. The meeting must have a legitimate purpose
- A written agenda must be circulated in advance of the meeting
- Discussion at the meeting should not generally deviate beyond the scope of the agenda
- Written minutes should be taken at the meeting and circulated to all participants
- Where there is doubt as to the legitimacy of a discussion, the IFPMA Secretariat and/or any member participant must postpone the discussion until its legitimacy can be confirmed with legal counsel

Prohibited Conduct

It is unlawful to enter into agreements, whether binding or not, that significantly restrict competition in a market. In order to prevent agreements that lessen competition from occurring at meetings, members shall refrain from exchanging competitively information such as:

- Pricing strategies, product pricing, discounts, and credit terms
- Costs of production and distribution, output, methods of computing costs
- Specific suppliers and customers, including any discussion that may have the effect of excluding suppliers or customers from the market
- Confidential future plans of investment, marketing, and technological developments

Members should seek individual legal advice on competition law and its application to their activities. These guidelines are not a substitute for individual member's competition policies.

Compliance with these guidelines is required. Both the IFPMA and its members can be liable for anti-competitive conduct.

