

## COMPETITION LAW GUIDANCE

### COMMITMENT

Innovative Medicines Canada and its members are committed to conducting association activities in compliance with Canadian competition law. This is essential for the credibility and viability of Innovative Medicines Canada as a working organization. While trade associations perform a legitimate role in advocating public policy positions, anti-competitive behavior may occur.

As a result, Innovative Medicines Canada and its members commit to conducting their activities legally, and acknowledge that certain activities may have competition law implications, including any express or tacit collusion between competitors regarding prices, collectively refusing to deal, allocating customers, limiting production, or allocating geographic markets. Contraventions of the Competition Act can have serious consequences for organizations and their officers, directors and employees, including prison terms, significant fines, damages from class action lawsuits, reputational harm and disruption to operations.

Innovative Medicines Canada and its members commit to develop, implement and maintain credible and effective compliance programs which are designed to prevent members from engaging in or facilitating discussions or activities that might be viewed as anti-competitive. This document is intended to provide general guidance for assuring competition law compliance. Any questions regarding this guidance can be addressed to Legal Affairs at Innovative Medicines Canada.

### COMPETITION LAW COMPLIANCE PROGRAMS

Innovative Medicines Canada and its members shall have and enforce their own competition law compliance programs to prevent contraventions of Canadian competition law. Each compliance program shall specify appropriate conduct when interacting with competitors, including:

1. Clarifying appropriate and inappropriate topics when dealing with competitors in both formal and informal discussions.
2. Requiring compliance with Canadian competition law and also maintaining a perception of compliance.
3. Requiring employees, as appropriate to their role, to receive ongoing compliance training to follow internal competition law policies, the Innovative Medicines Canada Competition Law Guidance, and the Competition Guidelines Governing Innovative Medicines Canada Meetings.
4. Requiring maintenance of records, for a reasonable period of time, evidencing competition law compliance and training, such as internal competition law policies, meeting agendas, and meeting minutes.

Compliance with this Innovative Medicines Canada Competition Law Guidance, as amended from time to time, is a condition of Innovative Medicines Canada membership. Innovative Medicines Canada members must have into compliance with this guidance by June 30, 2015.

January 4, 2016