



# PROFESSIONAL CODE OF ETHICS AND CONDUCT

## SNITEM's Charter

### MEDICAL TECHNOLOGY COMPANIES HAVE A COMMITMENT TO:

#### 1. THE PATIENT: AT THE CENTRE OF THE MEDICAL DEVICE INDUSTRY'S CONCERNS

The main mission and calling of the Medical Device Industry is to offer products and services designed to improve the health and quality of life of patients or to compensate for handicaps and declining functions.

It undertakes:

- ✧ to continuously foster innovation with this aim in mind,
- ✧ to abide by the regulations related to quality and safety that have been set up for the patient's benefit.

Over the past few years, whether in an individual capacity or through the intermediary of representative associations, the patient has become an informed player involved in his/her own health and a spokesperson in his/her own right. He/she lies at the centre of the Industry's concerns.

#### 2. THE HEALTHCARE PROFESSIONAL: THE MEDICAL TECHNOLOGY INDUSTRY'S MAIN PARTNER

The medical device and the healthcare professional form a pair that often cannot be dissociated; they each depend on the other in order to be effective.

With regard to them, the Medical Device Industry undertakes:

- ✧ to contribute to developing research,
- ✧ to place top quality products on the market which meet the national, European or international regulatory requirements applicable to the field concerned,
- ✧ to monitor the products placed on the market and to guarantee the traceability of the products concerned in accordance with the provisions of Section Title 1<sup>st</sup>, Book 2<sup>nd</sup>, Section V of the Public Health Code and to take measures laid down by the laws, in particular with respect to information should an incident occur,
- ✧ to comply with current regulations as regards promotion and advertising, whether these come under the Public Health Code or the more general context of commercial law,
- ✧ with regard to trading practices, to abide strictly by:
  - The provisions in the section on "competition" in the act concerning "New Economic Regulations" (act 2201-420 dated 15<sup>th</sup> May 2001);
  - The provisions of the current acts and regulations, in particular those in article L. 4113 of the Public Health Code, and, in particular, in the article L.4113-6 (advantages authorized to the professionals of health);
  - The guidelines, procedures and recommendations drawn up, where appropriate, by SNITEM in pursuance of these laws, within the limits of its scope and to the exclusion of any practice forbidden by the "Code du Commerce" (commercial regulations)

#### 3. THE INSTITUTIONS AND ORGANISATIONS: PLAYERS INVOLVED IN THE HEALTHCARE SYSTEM

The world of Healthcare is a complex, multipolar system that involves a wide array of institutional players and public, semi-public or professional bodies, which have a role to play in:

- ✧ defining policy directions and strategic guidelines ;
- ✧ monitoring health;
- ✧ administrative, economic or financial regulation;
- ✧ healthcare system funding;
- ✧ making sure the regulations are respected;
- ✧ keeping a watch on the market, etc.

Through the trade association that represents it – SNITEM – the Medical Technology Industry promises collectively, and each company individually, to conduct itself as a fully committed, responsible partner that is aware of the imperative stakes and choices involved in Public Health.

Over and above its natural diversity, the profession undertakes to formulate coherent stands and proposals as and when appropriate, that each of its constituent parts shall promote and defend as soon as these have been duly passed by the Association's governing authorities and approved, if need be, by the General Assembly.

## 4. THE OTHER MEDICAL TECHNOLOGY COMPANIES, BY ADOPTING EXEMPLARY BEHAVIOUR

Membership of SNITEM implies the ability to manage and overcome the inevitable pressures of competition that are likely to appear between companies at commercial level and out in the field

Members undertake:

- ✧ to observe conduct that excludes any disparagement, any incorrect information and any unfair action, with respect to their competitors,
- ✧ to show solidarity with regard to companies in the profession, both as individuals and as part of work groups, authorities and proceedings set up by SNITEM.

## 5. THEIR TRADE ASSOCIATION, BY SUBSCRIBING TO A STRONG PROFESSIONAL COMMITMENT

Being a member of SNITEM means contractually agreeing to any individual and collective duties without prejudicing the observance of the competition law and, in particular:

### Observance of the statutes

All members promise, in particular, to submit to the statutory provisions relating to:

- **Collective discipline (article 43):** by belonging to the Association, active, associate and fellow members make a commitment to submit to these articles of association, to the Association's decisions and to the rules set out in its "Professional code of ethics and conduct" Charter.

Active and associate members undertake to promote these rules and to have them observed by their distribution networks (Cf. Article 10 – Admission),

- **And joint consultative action (article 44):** Members promise not to undertake any initiatives in relation to public or private organisations in a personal capacity, from the moment that these may hinder the Association's action as part of more general problems.

Any member who claims to represent the Association in order to carry out individual action shall first inform the Association of this and make sure that the stands he/she takes are not contrary to the ones defended by SNITEM.

### Defending the profession's image

Members undertake to uphold and promote the image of the profession and to contribute to enhancing the influence of the Medical Technology Industry. To this end, in addition to the individual action they may carry out with this aim in view, they undertake to furnish SNITEM with any elements (information, documents, pictures and photographs) that could be helpful to the Association in order to create and develop communication tools and media without prejudicing their intellectual property rights.

### Involvement in professional initiatives

Members undertake to take an active part – insofar as their means so allow – and to contribute their expertise to the work groups, meetings, commissions and general meetings organised by SNITEM for the purposes of defining and carrying out joint initiatives for the profession.

### Involvement in professional statistics

It has become essential for the profession to be informed and to have command of economic data so that it is in a position to represent the trade as a whole and as different constituent parts vis-à-vis the authorities and other players involved in the healthcare system.

To this end, members undertake to furnish SNITEM in the shortest possible time with costed data and facts enabling it to work out general and sectorial statistics that are accurate and reliable while observing confidentiality and the competition law.

To make sure that these commitments are respected, a "Professional Code of Ethics and Good Practices Commission" is instituted at SNITEM.