

# Advertising Policy and Procedure

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## Purpose and Scope

The purpose is to outline the Royal Australian and New Zealand College of Obstetricians and Gynaecologists (RANZCOG) advertising guidelines and procedures for third parties advertising their products and services on RANZCOG's communication and marketing channels such as and not limited to; Magazine, Journal, e-newsletter, other event-related collateral or exhibition opportunities.

This policy applies to all College members, trainees, staff, external advertisers and third parties. This policy does not cover RANZCOG sponsorship or endorsement. All requests for sponsorship or endorsement must be evaluated against the Sponsorship policy and procedure or Endorsement policy and procedure respectively.

## Key Considerations

Advertising provides information and or opportunities to members and non-members on a variety of products, services, and activities. RANZCOG accepts advertising in many forms as outlined in the media kit, such as print publications, digital channels, and exhibition opportunities. RANZCOG's acceptance of an advertisement is not endorsement or agreement with the materials or activities of the advertiser and or third parties. RANZCOG may choose to employ a third-party to act as an advertising agency on RANZCOG's behalf. Any Advertisement accepted by RANZCOG must be at commercial rates, determined by the CEO or delegate. In some circumstances, RANZCOG may consider supporting an advertisement on a discounted or pro-bono basis. Such decisions to waive fees ordinarily applicable must be made by the CEO or their delegate.

## 1. Mandatory Requirements

### 1.1. Standard Requirements

To ensure its credibility as the peak body in Obstetrics and Gynaecology, and to uphold of the trust and confidence of its members and of the public, RANZCOG must be free of undue influence or conflicts, and in control of the decisions it makes. To this extent, when assessing advertising requests, due regard must be given to member perspectives, views, and concerns. As such, RANZCOG will not accept or support any advertisements, or engage with organisations that:

- Are likely to be perceived by a significant proportion of RANZCOG members as anti-social, anti-environmental, divisive, or controversial.
- Conflict with any health message or position statements issued or accepted by RANZCOG.
- Support political parties or religious organisations.
- Supports an individual.
- Presents a reputational risk.
- Support denominational religions.
- Promote directly or indirectly the business of gambling, alcohol, arms, smoking, drugs and abuse and exploitation of women.

- May be construed as discriminatory.
- Could be detrimental to public health and safety.
- Promote socially divisive issues or events e.g: beauty pageants or activities that may be linked to animal cruelty.
- Perceived to impose conditions that could limit, or appear to limit, the ability of RANZCOG to carry out its function fully and impartially.

RANZCOG will not enter into advertising agreements with individuals or entities that are or may be subject to action or investigation by government or government bodies. RANZCOG will not be obliged under any advertising arrangement to provide explicit endorsement of an advertiser's products or product categories.

## 1.2. Medical Professionalism and Ethics

All advertising must be consistent with the Medical Practice professionalism and, in particular, must:

- a. Account for RANZCOG's standing in the healthcare industry and the community generally, noting RANZCOG's stature and reputation are inextricably linked to the Medical Practice profession's work, the professional stature of its members and the trust patients place in their Medical Practitioner.
- b. Comply with the Australian Medical Association Code of Ethics, which is available at <https://www.ama.com.au/articles/code-ethics-2004-editorially-revised-2006-revised-2016> , The Medical Council of New Zealand Standards, which is available at <https://www.mcnz.org.nz/our-standards/current-standards/> .

## 1.3. Therapeutic Goods

### Compliance with Law

All advertisers or their referring agents must certify (which may be incorporated into the written agreement) that all advertising involving Therapeutic Goods complies with:

- The Medicines Australia Code of Conduct (available <https://www.medicinesaustralia.com.au/code-of-conduct/code-of-conduct-current-edition/> )
- The Therapeutic Goods Advertising Code (available at <https://www.tga.gov.au/publication/therapeutic-goods-advertising-code> )
- The Therapeutic and Health Advertising Code (available at <https://www.asa.co.nz/codes/codes/therapeutic-and-health-advertising-code/> ).

### Pharmaceutical advertising

Advertising from the pharmaceutical industry can only be appropriate so far as they do not breach or distort the doctor – patient relationship. Specifically, advertising of Therapeutic Goods is subject to the following:

- Advertising agreements with Pharmaceutical companies do not entail direct product or product category endorsement by RANZCOG.
- Advertising on RANZCOG promotional items (that is, items bearing RANZCOG branding) such as pens, notepads and branded items like clothing and accessories is not acceptable under any circumstances;
- Advertising cannot appear in RANZCOG Social Media channels.
- Advertising can appear in RANZCOG Events, Products and activities targeting the general public providing all references, information or references to a Therapeutic Good are omitted.

## 2. Procedures

### 2.1. General Procedures

All advertising requests must be directed to the contacts outlined in RANZCOG's media kit or website. All new advertising requests must be presented to the CEO or delegate for approval. Any queries around clinical or medical propriety of an advertisement will be forwarded to the Board for their recommendation. Under certain circumstances, authority to approve advertising may be delegated by the CEO to appropriate RANZCOG Personnel.

### 2.2. Right of refusal

Independent of anything else outlined in this policy, RANZCOG reserves the final right to decline any proposed advertising, copy or trade exhibit for professional, ethical, moral or legal reasons. Once such a decision has been made, RANZCOG will notify the concerned party in writing. RANZCOG is not obliged to enter into any further communication with the concerned party.

### 2.3. Advertising Agreement and Management

RANZCOG is required to enter into a written agreement with advertisers that details the obligations of each of the parties. Where a third party has been nominated to act on RANZCOG's behalf as an advertising agency, RANZCOG must maintain a written agreement with them, outlining all obligations and requirements. RANZCOG or its nominated advertising agent must maintain a list of advertisers and their requirements to ensure contractual obligations are fulfilled.

### 2.4. Advertising as part of a Sponsorship

RANZCOG may choose to package advertising with certain sponsorship arrangements to maximise value for RANZCOG and the sponsor. Advertising approved as part of a sponsorship arrangement will need to comply with all the requirements outlined in this policy.

## 3. Transition Provisions

RANZCOG recognises it has entered into an advertising agreement prior to the endorsement of this Policy. To this end:

- This Policy is subject to the terms of these agreements
- RANZCOG should not seek to terminate any agreement merely because of the update of this Policy
- RANZCOG must not in any circumstance exercise any right or option to extend or renew any of these contracts if any component conflicts with this Policy
- any renegotiation of any agreement must include appropriate changes to ensure it conforms to this policy.

## 4. Non-compliance

A failure to comply with this Policy may result in RANZCOG incurring unwanted or misaligned contractual obligations or responsibilities which can lead to significant legal, financial or reputational risks.

## 5. Legislation

All advertising arrangements are obligated to adhere to the following legislations;

- Therapeutic Goods Act 1989 (Cth)
- Medicines Australia, Code of Conduct (19th Ed)
- The Therapeutic Goods Advertising Code 2018 (Cth)
- The Fair Trading Act 1986, New Zealand
- Advertising Standards Authority Inc., New Zealand, Standards Codes

## 6. Related RANZCOG documents

- Constitution
- Strategic Plan
- Code of Conduct
- Endorsement Policy and Procedure
- Sponsorship Policy and Procedure
- RANZCOG Media Kit

Version	Date of Version	Pages revised / Brief Explanation of Revision
v1.1	July / 2021	New Policy established
v2.1	September / 2021	Minor amendments and corrections

Policy Version:	Version 2.1
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