



ΣΥΝΔΕΣΜΟΣ ΦΑΡΜΑΚΕΥΤΙΚΩΝ ΕΠΙΧΕΙΡΗΣΕΩΝ ΕΛΛΑΔΟΣ

To the **GENERAL MANAGERS**
COMPLIANCE OFFICERS
DUE DILIGENCE DEPARTMENT

Chalandri, 23-1-2015

Subject: Disclosure Obligation for Transfer of Values (ToVs) – Law 4316/2014 art. 66 par. 7 (Gov. Gazette 270/24.12.2014)

Dear members,

As regards the disclosure obligation for the transfer of values (ToVs) to Healthcare Professionals and Healthcare Scientific Agencies enforced on the pharmaceutical companies by the new law 4316/2014, our Association thoroughly examined various issues that have emerged and will emerge in the future and reaches the following:

1. As regards the **commencement time** of the obligation, there is a controversy between the jurists, as to whether it commences from 24-12-2014 (date of publication in the Government Gazette) or occupies the whole calendar year 2014 due to the fact that the letter of the law refers the expression "of each calendar year" and the Gov. Gazette was published within the calendar year 2014. The Association strongly worked until this day for the issue of an interpretative circular that expressly determines the commencement time of the obligation from 01.1.2015, however due to the political developments in the country, it was not possible and will shift the issue to the negotiations agenda with the new political leadership that will emerge from the imminent elections.

2. As regards the technical handling of the implementation of the disclosure obligation, we have noticed that the disclosure platform and the auditing mechanism have not yet been established in EOF.

3. The Association has communicated and brought the issue to the attention of EOF and the Personal Data Protection Authority and waits for the result of the co-operation of the two Authorities (EOF - Personal Data Protection Authority) in order to clarify the technical details such as the duration of the disclosure, personal data keeping, further processing thereof etc.

4. In view of all the above "imperfections" of the law, SFEE suggests to its members to keep and preserve all data they have available for 2014 and the further collection of data from 24-12-2014 since the obligation is unquestionable from that date and on.

5. In case an interpretative circular is issued which will define the above issues that have emerged, SFEE will promptly inform the members thereof.

Yours sincerely

Ioannis Chryssospathis

Legal Advisor