



# AtM Conflict of Interest Policy

*Established by the board on 15 April 2008*

Spaarne 35  
2011 CD Haarlem  
The Netherlands  
T. +31 (0)23 5339187  
info@atmindex.org  
www.atmindex.org

## 1. Introduction

- a. The Access to Medicine Foundation ('the Foundation'), through the Access to Medicine Index ('the Index') it manages and promotes, aims to independently, impartially and reliably measure, monitor, review and publish the performance of individual companies (whether publicly listed or not) with respect to their efforts to provide better global access to medicines.
- b. The Foundation does not directly nor indirectly recommend the purchase or sale of equity securities, nor does it hold such assets.

## 2. Risks associated with conflicts of interest

- a. Transparent management and criteria of the Index, as well as full transparency about and management of (potential) conflicts of interest, are crucial to the credibility of the Index and that of the Foundation;
- b. A material conflict of interest is an interest which, in view of all the circumstances, could reasonably be expected to affect the independence or impartiality of the person with the interest;
- c. Material conflicts of interests of individuals related to the Index or the Foundation could lead to
  1. biases in measurements, monitoring or reviews;
  2. biases in the publication of measurements, monitoring or reviews;
  3. misuse of privileged and confidential knowledge.
- d. Any person exercising influence on Index methodology, Index measurement or Index publication, including Board members, Committee members and staff, shall have no material conflict between their respective personal, professional or business interests and the integrity of the Index or the Foundation, in any and all actions taken by them on behalf of or for the Foundation in their respective capacities.

## 3. Potential conflicts of interest include:

- a. having a direct sizeable business interest in a company that is measured by the Index;
- b. having direct possession, purchase or sale of equity securities in a company that is measured by the Index;
- c. providing AtM privileged or confidential information or advice to third parties which can be used to decide on such purchase or sale;
- d. receiving financial compensation or other favors from a company that is measured by the Index, or from a company that has itself a conflict of interest; financial



- e. compensation includes direct and indirect remuneration as well as gifts or favors worth USD 50 or more;
- f. having a close family member (e.g. spouse, parent, child or spouse of a child, brother, sister, or spouse of a brother or sister) with such interests;
- g. other interests that have been deemed potentially conflicting by the Board.

#### **4. Management of potential conflicts of interest**

- a. *Disclosure:* Any person exercising influence on Index methodology, Index measurement or Index publication, whether as a Board member, Committee member or staff member, and who has a potential interest as defined under item (3), shall disclose such interest, or a change in such interest, to the Board through the agreed Potential Conflict of Interest Declaration process within one month after the potential conflict arises;
- b. The Board shall publish all disclosed potential conflicts of interest at least once per year;
- c. The Board shall evaluate all disclosed potential conflicts of interest and assess whether they are ‘material conflicts of interest’;
- d. *Certification:* Any individual within the Foundation who has the means to directly influence Index measurements or scores shall certify that he or she does not have potential conflicts of interest as defined under item (3);
- e. *Confidentiality:* Index outcomes are confidential until their formal time of release. Any individual within the Foundation who has advance knowledge of Index outcomes shall not disclose any part of such outcomes to third parties before the formal time of release;
- f. Any outside contractor shall certify the independence, impartiality and reliability of its work; the existence of internal controls; compliance with legal requirements for having adopted a code of ethics or conflict of interest policy; and agree to honor the confidentiality of Index outcomes;
- g. The Board shall review this Policy at least once per year and apply all changes necessary to maintain the impartiality and credibility of the Index and the Foundation.

#### **5. Corrective actions**

- a. Any material conflict of interest or any violation of the rules set forth in this Policy shall prompt disciplinary and/or corrective action by the Board;
- b. A charge of incompletely or inaccurately disclosed conflicts of interest shall be directed to the Chair of the Board;
- c. The Board shall take no action until it has given the person charged with the alleged conflict of interest the opportunity to fully represent him/herself;
- d. The Board may appoint a disinterested person or committee to investigate the alleged conflict of interest;
- e. The person with the alleged conflict of interest shall not take part in any vote on the nature of the interest or any related decision.



**POTENTIAL CONFLICT OF INTEREST DECLARATION FORM**

To be completed and signed by Board, Committee and staff members.

- I have reviewed and understood the Conflict of Interest Policy of the Access to Medicine Foundation and agree to abide by it;  
(This box must be checked by all.)
  
- I have no potential conflict of interest as defined in the Conflict of Interest Policy of the Access to Medicine Foundation;  
(This box must be checked by any person within the Access to Medicine Foundation who has the means to directly influence Index methodology or scores.)
  
- I report the following potentially conflicting interest(s), as defined in the Conflict of Interest Policy of the Access to Medicine Foundation (please describe fully, including name and nature of the interest);

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

List continues on \_\_\_\_ annex page(s).

I hereby certify that the information provided is true and complete to the best of my knowledge; that I will adhere to decisions on conflicts of interest by the Board; and that I will report future changes to this information to the Board’s Chairman within one month after they arise.

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

City, Date: \_\_\_\_\_



**OUTSIDE CONTRACTOR CERTIFICATION FORM**

To be signed by contractors of the Access to Medicine Foundation.

“As a contractor for the Access to Medicine Foundation, I understand that the absence of conflicts of interest (or the appearance thereof) is crucial to the credibility of the Index and that of the Foundation.

I certify that my company’s work for the Access to Medicine Foundation has been carried out independently, impartially and reliably, and is not in any way tainted by other interests, as guarded by internal controls.

I certify that my company complies with all legal requirements for having adopted a code of ethics or conflict of interest policy.

My company and its employees will honor the Foundation’s rules with regard to the confidentiality of Access to Medicine Index outcomes. In cases where we may have advance knowledge of Index outcomes, we shall not disclose any part of such outcomes to third parties before the time of release that is set by the Foundation.”

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Company: \_\_\_\_\_

Signature: \_\_\_\_\_

City, Date: \_\_\_\_\_