

**AQUITAS**

**HEALTHCARE, MEDICINE  
AND PHARMACEUTICALS**

# healthcare, medicine & pharmaceuticals

AEQUITAS is one of a few Kazakhstan's law firms having an active dedicated practice in the field of healthcare, medicine and pharmaceuticals. The firm's clients are more than 20 international, foreign and local manufacturers of medical and pharmaceutical products.

The firm's lawyers are perfectly knowledgeable about the applicable Kazakhstan's and the Eurasian Economic Union's legislation governing medical and pharmaceutical activities and promptly update the clients of all the current and contemplated legislative changes relevant to businesses.

AEQUITAS maintains cooperation with the Association of International Pharmaceutical Manufacturers in the Republic of Kazakhstan, which gives its lawyers an opportunity to participate in the discussion and legal evaluation

of draft laws relating to medical and pharmaceutical activities and to take into account the clients' interests when developing the legislation improvement recommendations.

# services

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Advice on labeling (marking), advertising, registration and certification of medicines, medical products and medical equipment.

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Legal support to the importation of pharmaceutical products and medical equipment into the Kazakhstan territory, advice regarding counterfeit product control and parallel import using customs register mechanism.

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Advice on public procurement of medicines, medical products and medical equipment.

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Advice and legal support in obtaining permits for advertising in healthcare field.

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Drafting and review of contracts related to the supply and distribution of medicines, medical products, medical equipment and dietary supplements, advertising of pharmaceutical products and medical services, including issues of antimonopoly regulation of pharmaceutical companies, pricing of medicines, customer relations, and other aspects of pharmaceutical activities.

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Advice regarding licensing and obtainment of healthcare licenses.

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Trainings and seminars dedicated to regulatory, antimonopoly, anticorruption, labor, compliance and other matters conducted as per clients' individual enquiries.

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Drafting and review of internal corporate documents (including standard operating procedures) governing the specifics of pharmaceutical activities, including anticorruption and compliance procedures, in order to identify and prevent corruption risks and observe the rules for regulation and prevention of the conflicts of interests when doing business in the territory of Kazakhstan and the Eurasian Economic Union (EAEU).

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Advice and legal support in the registration, re-registration and amendment of registration dossiers for medicines, medical products, medical equipment and certain types of human-harmful products and substances.

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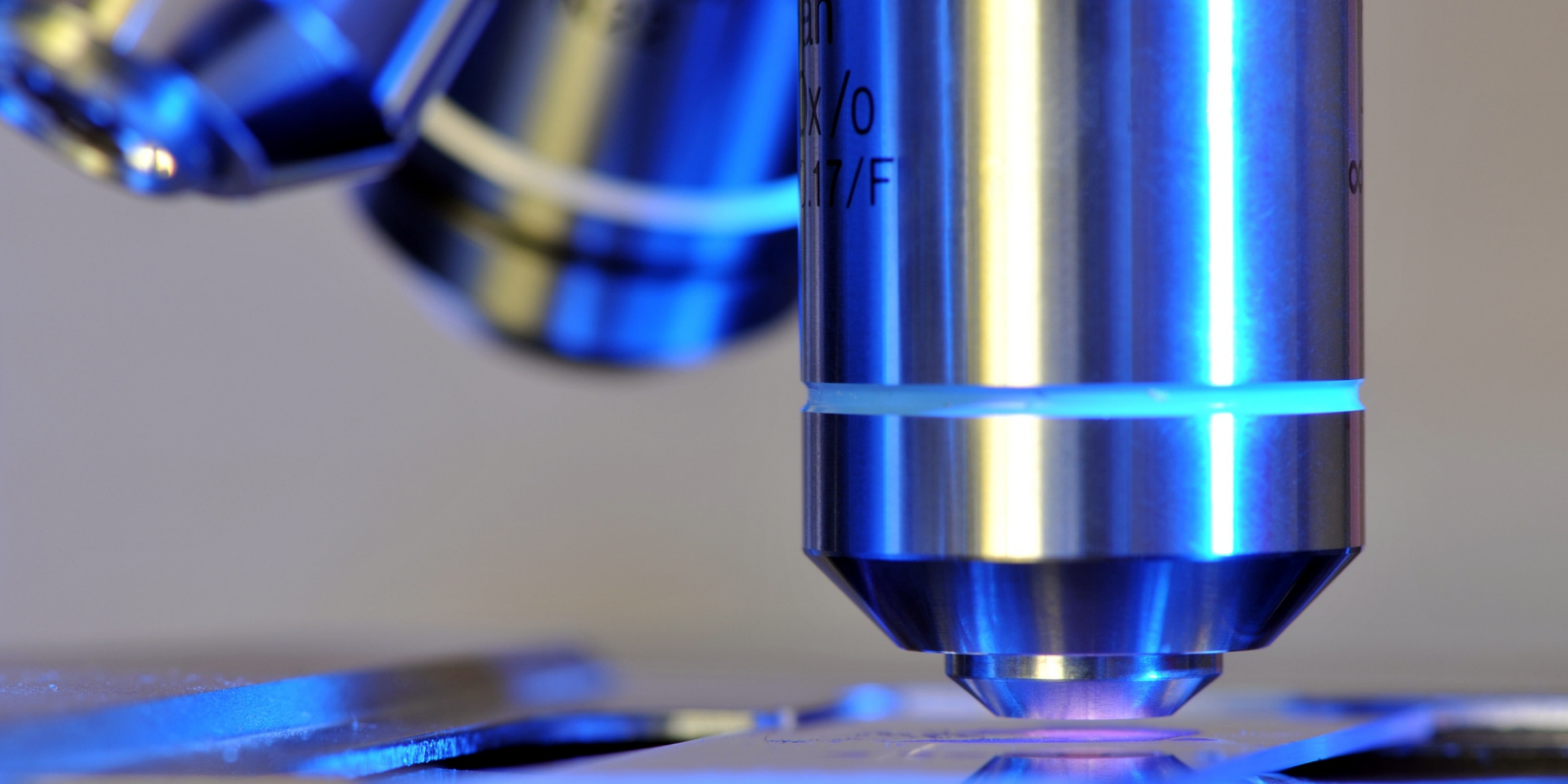
Advice and support in the verification of conformity (safety) of healthcare goods, work and services in the context of the national legislation of the Republic of Kazakhstan and supranational legislation of the EAEU.

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Client representation in case of inspections by pharmaceutical control authorities and medical services control authorities.

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Law drafting and representation of pharmaceutical companies manufacturing medical products in the context of law-making initiatives.



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# most representative projects

All-round legal support to Sanofi Aventis LLP, a subsidiary of Sanofi (France), the world's leading pharmaceutical company, including: advice regarding medicines advertising issues; different marketing actions conducted by medical professionals; regulation of online pharmacy activities in Kazakhstan; criminal and administrative liability and corruption offences in the field of medical and pharmaceutical activities; drafting of various service contracts; preparation of a set of mandatory documents for personal data legislation compliance; advice on antimonopoly regulation of the company relations with distributors; and analysis of legislation governing public procurement of medicines, medical products and medical equipment.

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Advice to Sanofi, General Electric (Healthcare) and Berlin Chemie regarding medicines and medical products advertising. In 2015, Kazakhstan introduced a legislative ban on mass media advertising of over-the-counter medicines, which would have bitterly affected the clients' business in Kazakhstan. Pharmaceutical companies with the support of legal practitioners, including AEQUITAS, repeatedly requested to cancel the regulation; as a result the advertising ban was lifted.

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Integrated analysis of legislation regarding permitted promotion methods and scenarios for medical and pharmaceutical professionals to participate in the promotion and sampling; requirements to the advertising and promotion materials; and liability and current sanctioning practice in case of the Republic of Kazakhstan legislation violation performed for Chimpharm JSC (Santo Member of Polpharma Group).

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Advice to Johnson & Johnson, Santen regarding application of anti-corruption and labor legislation in respect of healthcare professionals; training in civil, criminal and labor (disciplinary) liability of the members of a pharmaceutical company executive body, taking into account their activities specifics and anti-corruption legislation requirements.

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Advice to Johnson & Johnson on different aspects of pharmaceutical market regulation, including issues of advertising, marking, labeling and registration of medicines, medical products and medical equipment and advice regarding lawfulness of the authorized agency's demands to carry out a special inspection of a medicine manufacture process at the manufacturing plant.

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Comprehensive presentation during the global meeting of management of General Electric Healthcare subdivision with the company's local distributors. The presentation prepared by AEQUITAS lawyers covered intricate issues of procurement of medical equipment and medical products for the guaranteed scope of free medical aid under the state supply channel. The firm's lawyers helped resolve the issues of equipment supply ambiguously regulated by the Kazakh legislation.

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In addition to the above projects, AEQUITAS provides pharmaceutical and healthcare companies with advice and legal services in the area of labor and corporate relations regulation and drafts agreements associated with the lease, advertising, distribution and supply of medical products and healthcare equipment and other aspects of the day-to-day company activities (Boehringer Ingelheim, Tolmar, Katren, Johnson & Johnson, General Electric, Sanofi, Polpharma Group).

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AEQUITAS handled the setting-up and winding-up of the Kazakhstan branch of Tolmar Inc. (Panama), a major pharmaceutical company and provided all-round legal support to Katren OJSC, a Russian pharmaceutical holding company, in a transaction to acquire Amity International, a local pharmacy chain.

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Advice to Sanofi and Johnson & Johnson on the issues of copyright compliance when distributing medical information among local healthcare professionals.

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All-round legal support to the world's largest manufacturer of generic pharmaceuticals, including: analysis of standard operating procedures as to compliance with local legislation; advice regarding medicines advertising and various marketing actions conducted by medical professionals; criminal and administrative liability and corruption offences in the field of medical and pharmaceutical activities; medicines certification and destruction; advice regarding participation in tenders in the framework of the guaranteed scope of free medical aid; drafting of agreements with company distributors; and preparation of a set of mandatory documents for personal data legislation compliance.

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Review of distributor agreement and advice regarding intricate applicable local law matters for CooperVision Inc., a large manufacturer of contact lenses.

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Advice to the world's largest manufacturer of generic pharmaceuticals on complex medicine procurement issues in connection with the introduction of unified medicines market of the Eurasian Economic Union (EAEU). Drafting and adaptation of the health sector tender procurement policy and a series of negotiations with the Unified Distributor of Medicines (a specially created quasi-governmental structure).

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Advice to Radiometer Kazakhstan LLP, a subsidiary of the leading provider of technologically advanced acute care solutions, regarding legal regulation of supplies and sales of medical laboratory equipment and consumables in the Kazakhstan territory, including review and drafting of distributor agreements and contract for the transfer of the right of claim and alienation of products in connection with counterparty's insolvency; development of recommendations to mitigate the identified tax, currency and other risks.

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# membership



The Law Society



# ratings

*“AEQUITAS lawyers are very professional, they have a great experience which they use day by day. They are very convenient to contact, because they always stayed in touch and gave prompt feedback on all requests”.*

**The Legal 500 2024**

*“AEQUITAS Law Firm is flexible in its approach and understands the legal and commercial needs of the client. Their lawyers have strong intellectual strength and the ability to find logical solutions”.*

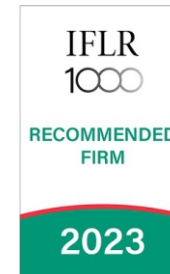
**Chambers Asia Pacific 2024**

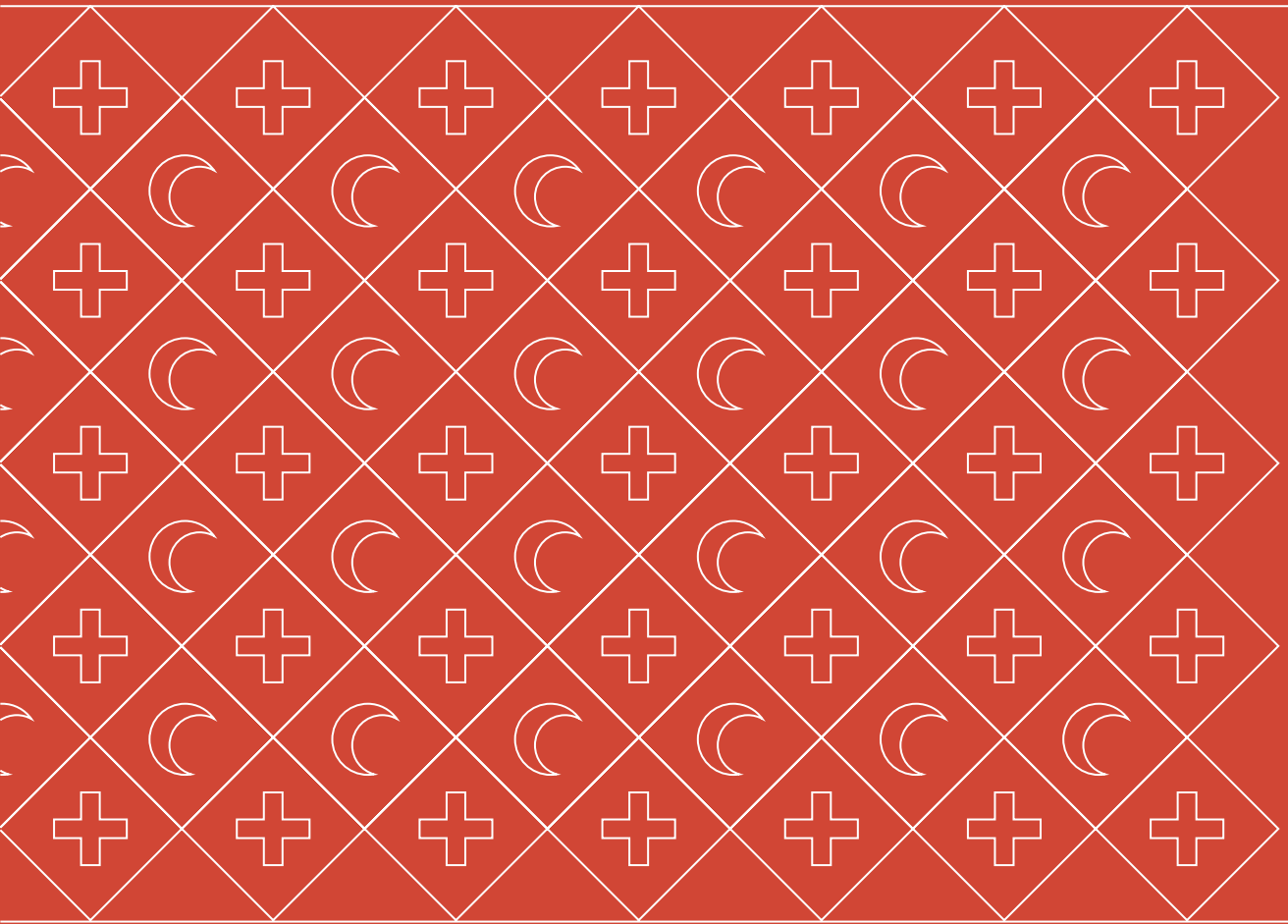
*“AEQUITAS worked with great efficiency and well under the proposed budget. They adapt to client needs and complex problems”.*

**Chambers Asia Pacific 2023**

*“AEQUITAS is very responsive, flexible and thoughtful with regard to the client’s business concerns”.*

**asialaw Profiles 2023/24**





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