

Media & Entertainment - Pakistan

Competition Commission investigates deceptive marketing in healthcare sector

Contributed by [Vellani & Vellani](#)

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Following complaints of alleged deceptive marketing, the Competition Commission initiated an investigation of Liaquat Ali and Shazia Liaquat of Liaquat Hospital in Lahore for television commercials in violation of Section 10 of the Competition Act 2010.

The investigation revealed that in the television commercials, Ali:

- referred to himself as a doctor, rather than a homeopathic doctor;
- claimed to cure conditions such as Hepatitis A, B and C, obesity, dandruff and vitiligo; and
- guaranteed birth of a son through his treatment.

All of these claims, having no reasonable basis, violated Section 10 of the act. Based on the findings of the inquiry report, show cause notices were issued to the parties.

At the relevant hearings, the parties gave an undertaking that "suitable alteration in the advertisements will be made and which will be forwarded to the Commission for its consideration and approval". Despite this undertaking, no revised television commercial was submitted to the commission. The commission even became aware that the parties had started to air the commercial on other channels and in other languages.

Accordingly, the commission issued an interim order directing Ali to cease airing the commercial with immediate effect, as its absolute claims deceived the public.

The commission also recommended that the Pakistan Medical and Dental Council, the National Council for Homeopathy and the Pakistan Electronic Media Regulatory Authority devise guidelines for the advertisements and marketing practices of medical and healthcare service providers in order to curb such deceptive marketing.

The commission stated that these guidelines must stipulate that advertisements should:

- be accurate and not contain false claims or misrepresentations of material facts;
- not create false or unjustified expectations;
- make necessary disclosures where the absence thereof would render the advertisement misleading; and
- have a reasonable basis for the claims made.

The commission observed that in an era when healthcare providers have begun to market their services aggressively, deceptive healthcare advertising poses significant risks to the public. Fraudulent claims may entice consumers to undergo costly, ineffective and dangerous medical procedures, the risks of which cannot be ignored.

The commission ultimately issued an order disposing of the show cause notice issued to Ali after he:

- stopped airing the commercial on all channels;
- filed a satisfactory written commitment that the parties would comply with their original statement made at the hearing; and
- filed a compliance report in accordance with the commission's directions.

The commission, taking a lenient view, imposed no penalties on the parties.

For further information on this topic please contact [Samiya Fikree](#) or [Ferzeen Bhadha](#) at Vellani & Vellani by telephone (+92 21 3580 1000), fax (+92 21 3580 2120) or email (samiya.fikree@vellani.com or ferzeen.bhadha@vellani.com). The Vellani & Vellani website can be accessed at www.vellani.com.

Authors

[Samiya Fikree](#)



[Ferzeen E Bhadha](#)



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