



THE STATUTES OF THE REPUBLIC OF SINGAPORE

MEDICINES (ADVERTISEMENT AND SALE) ACT 1955

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Medicines (Advertisement and Sale) Act 1955

ARRANGEMENT OF SECTIONS

Section

1. Short title
 2. Interpretation
 3. Prohibition of advertisements relating to certain diseases
 4. Prohibition of advertisements relating to medical skill or service
 5. Prohibition of advertisements relating to abortion
 6. Provisions as to offences under sections 3, 4 and 5
 7. Disclosure of composition of medicines
 8. Jurisdiction
 9. Exemption
- The Schedule — Diseases and conditions
-

An Act to prohibit certain advertisements relating to medical matters and to regulate the sale of substances recommended as a medicine.

[26 June 1956]

Short title

1. This Act is the Medicines (Advertisement and Sale) Act 1955.

Interpretation

2. In this Act, unless there is something repugnant in the subject or context —

“advertisement” includes any notice, circular, pamphlet, label, wrapper or other document, any announcement made orally or by any means of producing or transmitting light or sound and any other form of advertising;

“Poisons List” means the Poisons List in the Schedule to the Poisons Act 1938;

“proprietary designation”, in relation to the sale of an article consisting of or comprising a substance recommended as a medicine, means a word or words used or proposed to be used in connection with the sale of articles consisting of or comprising the substance for the purpose of indicating that they are the goods of a particular person by virtue of manufacture, selection, certification, dealing with or offering for sale; and “proprietor”, in relation to such a designation, means the person whose goods are indicated or intended to be indicated as aforesaid by the designation;

“public hospital” includes any public clinic, public dispensary or other public institution for the reception of the sick whether as in-patients or outpatients;

“substance” includes a preparation;

“substance recommended as a medicine”, in relation to the sale of an article consisting of or comprising a substance so recommended, means a substance which is referred to —

- (a) on the article, or on any wrapper or container in which the article is sold, or on any label affixed to, or in any document enclosed in, the article or such a wrapper or container;
- (b) in any placard or other document exhibited at the place where the article is sold; or
- (c) in any advertisement published after the passing of this Act by or on behalf of the manufacturer of the article, or the person carrying on the business in the course of which the article was sold, or, in a case where the article was sold under a proprietary designation, the proprietor of the designation,

in terms which are calculated to lead to the use of the substance for the prevention or treatment of any ailment, infirmity or injury affecting the human body, not being terms which give a definite indication that the substance is intended to be used as, or as part of, a food or drink, and not as, or as part of, a medicine;

“word” includes a letter and a numeral.

Prohibition of advertisements relating to certain diseases

3.—(1) Subject to the provisions of this Act, no person shall take part in the publication of any advertisement referring to any article or articles of any description in terms which are calculated to lead to the use of that article or articles of that description as a medicine, appliance or remedy for the purpose of treatment of human beings for any of the diseases and conditions set out in the Schedule:

Provided that this subsection shall not apply to any advertisement published by the Government or any public authority, or by the governing body of a public hospital or by any person authorised to publish the advertisement by the Minister.

(2) In any proceedings for a contravention of subsection (1), it shall be a defence for the person charged to prove that the advertisement to which the proceedings relate was published only so far as was reasonably necessary to bring it to the notice of persons of the following classes or of one or some of them:

- (a) members of a local or public authority;
- (b) members of the governing body of a public hospital;
- (c) registered medical practitioners;
- (d) registered dentists;
- (e) registered nurses and midwives;
- (f) registered pharmacists and holders of licences to sell poisons set out in the Schedule to the Poisons Act 1938;
- (g) persons undergoing training with a view to becoming registered medical practitioners, registered dentists, registered nurses or registered pharmacists.

[9/99]

(3) The Minister may, by notification in the *Gazette*, add to, vary or amend the Schedule.