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MEDICINES ACT
(CHAPTER 176)

MEDICINES (MEDICAL ADVERTISEMENTS)
(AMENDMENT) REGULATIONS 2016

In exercise of the powers conferred by section 52 of the Medicines Act, the Minister for Health makes the following Regulations:

Citation and commencement

1. These Regulations are the Medicines (Medical Advertisements) (Amendment) Regulations 2016 and come into operation on 1 November 2016.

Deletion and substitution of regulation 2

2. Regulation 2 of the Medicines (Medical Advertisements) Regulations (Rg 2) (called in these Regulations the principal Regulations) is deleted and the following regulation substituted therefor:

“Definitions

2. In these Regulations —

“grant”, in relation to a permit from the licensing authority, includes a renewal of the permit;

“medical advertisement” means any advertisement of a medicinal product, but does not include any advertisement mentioned in section 51(1)(a) or (b) or (2) of the Act;

“sales promotion” means any medical advertisement in the form of —

(a) a sales campaign (including door-to-door sales and price discounts);

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- (b) an exhibition;
 - (c) a competition; or
 - (d) any other activity meant to introduce, publicise or raise the profile, public awareness or visibility of, the medicinal product.”.

Amendment of regulation 4

3. Regulation 4 of the principal Regulations is amended by inserting, immediately after the words “application for”, the words “, or to renew,”.

Amendment of regulation 8

4. Regulation 8 of the principal Regulations is amended by inserting, immediately after the words “medical advertisement”, the words “that is not a sales promotion”.

Deletion of regulation 9

5. Regulation 9 of the principal Regulations is deleted.

Deletion and substitution of regulation 10

6. Regulation 10 of the principal Regulations is deleted and the following regulation substituted therefor:

“Exception for trade, business or profession

10. Regulation 3 does not apply to any medical advertisement that —

- (a) is directed exclusively at a person who may lawfully sell or supply any medicinal product in the course of that person’s trade, business or profession; and
- (b) is not accessible to the general public.”.

Amendment of regulation 11

7. Regulation 11 of the principal Regulations is amended by deleting paragraph (2) and substituting the following paragraph: