

Medicines (Medical Advertisements) Regulations

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MEDICINES ACT
(CHAPTER 176, SECTIONS 52 AND 74)

MEDICINES (MEDICAL ADVERTISEMENTS) REGULATIONS

Rg 2

G.N. No. S 289/1977

REVISED EDITION 2000

(31st January 2000)

[1st February 1978]

Citation

1. These Regulations may be cited as the Medicines (Medical Advertisements) Regulations.

Definition

2. In these Regulations, unless the context otherwise requires, “sales promotion” means any sales campaign (including door to door sales), exhibition, competition or any other activity for the purpose of introducing, publicising or promoting the sale or use of any medicinal product or any device, instrument, apparatus or contrivance used or represented to be used for a medicinal purpose.

Permit for advertising

3. Except as provided in these Regulations, no person shall —

- (a) issue or cause to be issued any medical advertisement; or
- (b) conduct any sales promotion,

without first obtaining a permit from the licensing authority.

Application for permit

4. An application for a permit referred to in regulation 3 shall be in such form as the licensing authority may require.

Period of validity of permit

5. Any permit granted by the licensing authority under regulation 3 shall, unless sooner revoked, be valid for a period of 3 years from the date on which it was granted.

Permit subject to terms and conditions

6. A permit may be granted subject to such terms and conditions as the licensing authority may think fit to impose.

Refusal, etc., of permit

7.—(1) The licensing authority may, without assigning any reason, refuse to grant a permit or may suspend or revoke any permit already granted.

(2) Any person aggrieved by such refusal, suspension or revocation may appeal to the Minister whose decision shall be final.

Duty of printer or publisher

8. No person shall print or publish or cause to be printed or published any medical advertisement unless he has first ascertained that a permit has been granted by the licensing authority in respect of that advertisement.

Gifts or prizes

9. No person shall, in conducting any sales promotion, offer any gift or prize to promote the sale of any medicinal product.

Exception for trade, business or profession

10. Regulation 3 shall not apply to any medical advertisement, sales promotion or representation directed exclusively to a person in his business premises who may lawfully sell or supply any medicinal product in the course of his trade, business or profession.

Exception for trade, advertisement and public authority

11.—(1) These Regulations shall not apply to —

- (a) a reference advertisement or a trade advertisement; and
- (b) any medical advertisement issued or published by any public authority or any person authorised to issue or publish such advertisement by the Minister.

(2) For the purposes of this regulation —

“commercially interested”, in relation to a medicinal product or any device, instrument, apparatus or contrivance used for a medicinal purpose, means to be involved in the sale of or to deal in that product, device, instrument, apparatus or contrivance as a manufacturer, supplier, retailer, importer or exporter;