

**UNIVERSITI TEKNOLOGI MARA**

**A LEGAL STUDY ON REGULATING THE SALE OF  
CONTROLLED SUBSTANCES THROUGH THE INTERNET IN  
MALAYSIA WITH SPECIAL REFERENCE TO THE UNITED  
STATES OF AMERICA (USA)**

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**Dissertation submitted in partial fulfilment  
of the requirements for the degree of  
Master of Enforcement Law**

**Faculty of Law**

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## AUTHOR'S DECLARATION

I declare that the work in this thesis/dissertation was carried out in accordance with the regulations of Universiti Teknologi MARA. It is original and is the results of my own work, unless otherwise indicated or acknowledged as referenced work. This thesis has not been submitted to any other academic institution or non-academic institution for any degree or qualification.

I, hereby, acknowledge that I have been supplied with the Academic Rules and Regulations for Post Graduate, Universiti Teknologi MARA, regulating the conduct of my study and research.

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## **ABSTRACT**

The growing phenomenon of Internet has influenced the way consumers obtain their medications. The easy accessibility and availability of all of medicines in the Internet has raise the concern of illegal sale of controlled substances, which are highly abusive and unregulated sale often used by drug addiction. This research examine the adequacy of the existing laws in governing the sale of controlled substances through the Internet. Using doctrinal approach, this research focuses on the main statutes namely the Poison Act 1952, the Poison Regulation (Psychotropic Substances) 1989 and the Sale of Drug Act 1952. This research also examines the applicability of other statutes that related to Internet. A comparative analysis of statutes which regulate the sale of controlled substances by means of the Internet in the US was carried out to observe their legal framework. In addition to that, a semi-structured interview also was conducted with the respondents from the Pharmacy Enforcement Division (PED). Findings from the interviews as well as through the comparative analysis were utilised to identify the problems, issues and challenges, and proposes for appropriate recommendations. The current laws were found inadequate to govern the sale of controlled substances through the Internet. Thus, through this research it is proposed that the existing law to be amended to accommodate the handling of Internet transaction. This research also proposes some other recommendations such as to develop a mechanism to licence the internet pharmacies and verification of legitimacy of the website.

## TABLE OF CONTENTS

<b>Author's Declaration</b>	ii
<b>Abstract</b>	iii
<b>Acknowledgement</b>	iv
Table of Contents	v
List Of Abbreviations	x
List Of Statutes	xi

### **CHAPTER ONE: INTRODUCTION TO RESEARCH**

1.0	Introduction	1
1.1	Background of Research	1
1.2	Problem Statement	3
1.3	Research Questions	4
1.4	Research Objectives	4
1.5	Methodology	5
1.6	Significant Contribution of Study	5
1.7	Scope and Limitation	6
1.8	Conclusion	6

### **CHAPTER TWO: OVERVIEW ON THE INTERNET SALE OF CONTROLLED SUBSTANCES**

2.0	Introduction	7
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2.1	Conceptual Features	7
2.1.1	Sale of Controlled Substances	7
2.1.1.1	International Obligation on control substances	10
2.1.1.2	Concern on the selling of controlled substances	11
2.1.2	Revolution of Internet Pharmacy	12
2.1.2.1	Types of Internet pharmacy	14
2.1.2.2	Risks of Internet pharmacy	15
2.2	Sale of Controlled Substances without Prescription by Rouge Internet Pharmacy	17
2.2.1	Challenges posed by the nature of rogue Internet pharmacies	18
2.2.2	The needs to regulate the internet sale of controlled substances	19
2.3	Theoretical Framework	20
2.4	Control of Internet Pharmacies in Malaysia	21
2.4.1	Prevalence of illegal internet pharmacy selling controlled substances	22
2.5	Conclusion	24

### **CHAPTER THREE: LEGAL FRAMEWORK GOVERNING THE SALE OF CONTROLLED SUBSTANCES IN MALAYSIA**

3.0	Introduction	25
3.1	Laws Governing the Sale of Medicine	25
3.1.1	Poisons Act 1952	25
3.1.1.1	Poisons Regulation 1952	29
3.1.2	Sale of Drugs Act 1952	29
3.1.2.1	Control of Drugs and Cosmetics Regulations 1984	30