

**UNIVERSITI TEKNOLOGI MARA**

**A LEGAL STUDY ON CYBERCRIME  
INVOLVING COUNTERFEIT  
PHARMACEUTICAL WITH REFERENCES TO  
THE UNITED STATES OF AMERICA**

**SHAFIQKA NISHA BINTI BASAH (2015685934)**

Dissertation submitted in partial fulfillment  
of the requirements for the degree of  
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## **AUTHOR'S DECLARATION**

I declare that the work in this dissertation was carried out in accordance with the regulations of Universiti Teknologi MARA. It is original and is 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.

Name of Student : Shafiqka Nisha Binti Basah  
Student I.D. No. : 2015685934  
Programme : Master of Enforcement Law  
Faculty : Law  
Dissertation Title :

Signature of Student : .....  
Date : December 2017

## ABSTRACT

Counterfeit pharmaceutical cybercrime are a global problem and increasing in Malaysia, it has evolved in term of time and the advanced of technology. Counterfeit pharmaceutical is assumed as unregistered medicine in the current practice of investigation, no specific provision in curbing the problem to be charged in the court of law. This study is carried out to examine the existing provision in regulating counterfeit pharmaceutical cybercrime in Malaysia and whether the Sales of Drug Act 1952 are adequate enough to combat counterfeit pharmaceutical cybercrime. Other than that, identifying present laws and control of counterfeit pharmaceutical cybercrime in the United States of America to be adopted in Malaysia. Journals, articles and laws from Malaysia as well as the United States of America in regard to counterfeit pharmaceutical cybercrime has been reviewed and were used to support the information. The finding shows that the existing law is not comprehensive enough to protect Malaysian from the risk of counterfeiter. Inadequacy of law in Malaysia to combat issues in the cyber environment had left the enforcement agency warranting a control mechanism and enforcement power. Comparing with the legislation in the United States of America, the distribution of medicines is one of the safest systems in the world, and has a comprehensive law relating to pharmaceutical counterfeit cybercrime. Hence, authority is recommended to have specific Act that could protect consumer and improvise on the current provision.

## TABLE OF CONTENT

	<b>Page</b>
<b>AUTHOR'S DECLARATION</b>	ii
<b>ABSTRACT</b>	iii
<b>ACKNOWLEDGEMENT</b>	iv
<b>TABLE OF CONTENT</b>	v
<b>CHAPTER ONE: INTRODUCTION TO THE RESEARCH</b>	<b>1</b>
1.1 INTRODUCTION	
1.2 BACKGROUND OF RESEARCH	
1.3 PROBLEM STATEMENT	
1.4 CONCEPTUAL FRAMEWORK	
1.5 CONCEPTUAL FEATURE	
1.6 RESEARCH QUESTION	
1.7 RESEARCH OBJECTIVES	
1.8 RESEARCH METHODOLOGY	
1.9 RESEARCH SCOPE AND LIMITATION	
1.10 CONTRIBUTION OF THE RESEARCH	
<b>CHAPTER TWO: CYBERCRIME IN COUNTERFEIT PHARMACEUTICAL</b>	<b>9</b>
2.1 INTRODUCTION	
2.2 COUNTERFEIT MEDICINE	
2.3 CYBERCRIME	
2.4 PHARMACEUTICAL CYBERCRIME	
2.5 CONCLUDING REMARK	
<b>CHAPTER THREE: COUNTERFEIT PHARMACEUTICAL CYBERCRIME IN MALAYSIA</b>	<b>22</b>
3.1 INTRODUCTION	
3.2 LEGISLATIVE FRAMEWORK IN MALAYSIA	
3.2.1 PHARMACY SERVICES DIVISION	
3.2.2 CONTROLS OF COUNTERFEIT PHARMACEUTICAL	
3.2.3 CHALLENGES IN CONTROLLING COUNTERFEIT PHARMACEUTICAL	
3.3 LAWS GOVERNING COUNTERFEIT PHARMACEUTICAL IN MALAYSIA	
3.3.1 SALES OF DRUG ACT 1952	
3.3.1.1 The Sale of Pharmaceutical Products	
3.3.1.2 Power of Drug Enforcement Officer	
3.3.1.3 Power of Minister	
3.3.1.4 Presumption to Sale	
3.3.1.5 Offences and Penalties	

- 3.3.1.6 Proceeding for Offences
- 3.3.1.7 Control of Drugs and Cosmetics Regulation 1984
  - 3.3.1.7.1 Registration of Products
  - 3.3.1.7.2 Registration and Licensing Requirement
- 3.3.1.8 Issues Under the law
- 3.4 OTHERS RELATED LAW
  - 3.4.1 POISON ACT 1952
- 3.5 LAWS GOVERNING CYBER IN MALAYSIA
  - 3.5.1 DIGITAL SIGNATURE ACT 1997
  - 3.5.2 COMPUTER CRIMES ACT 1997
  - 3.5.3 TELEMEDICINE ACT 1997
  - 3.5.4 COMMUNICATIONS AND MULTIMEDIA ACT 1998
  - 3.5.5 ELECTRONIC COMMERCE ACT 2006
- 3.6 CONSUMER PROTECTION
  - 3.6.1 TRADE DESCRIPTION ACT 2011
  - 3.6.2 SALE OF GOODS ACT 1957
  - 3.6.3 CONSUMER PROTECTION ACT 1999
- 3.7 CONCLUDING REMARK

**CHAPTER FOUR: COMPARATIVE LEGAL ANALYSIS WITH  
THE LAWS IN THE UNITED STATES OF AMERICA (USA)**

44

- 4.1 INTRODUCTION
- 4.2 REGULATORY FRAMEWORK IN THE USA
  - 4.2.1 SELF REGULATORY MEASURE
    - 4.2.1.1 NATIONAL ASSOCIATION BOARD OF PHARMACY
- 4.3 CONTROL OF MEDICINE IN USA
  - 4.3.1 FEDERAL LEGISLATION
    - 4.3.1.1 THE CONTROL SUBSTANCES ACT
    - 4.3.1.2 THE FOOD, DRUG AND COSMETIC ACT 1938
    - 4.3.1.3 THE RYAN HAIGHT ONLINE PHARMACY CONSUMER PROTECTION ACT
    - 4.3.1.4 SAFE INTERNET PHARMACY ACT 2007
  - 4.3.2 STATES LEGISLATION
  - 4.3.3 CONTROL OF COUNTERFEIT
    - 4.3.3.1 Stop Counterfeiting Manufactured Goods Act 2005
    - 4.3.3.2 Prioritizing Resources and Organization for Intellectual Property Act 2008
    - 4.3.3.3 Safeguarding America's Pharmaceutical Act 2008
    - 4.3.3.4 Reducing Fraudulent and Imitation Drugs act 2007
- 4.4 COMPARATIVE ANALYSIS OF THE LAW
- 4.5 CONCLUDING REMARK