

UNIVERSITI TEKNOLOGI MARA

**REGULATING THE MANUFACTURING,
DISTRIBUTION AND SELLING OF VAPE IN
MALAYSIA**

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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 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 usage of vape is a global phenomenon. It has been the subject of a public health dispute. There are many issues relating to vape and Malaysia has yet to regulate it. This study investigates the issues and challenges in regulating the manufacturing, distribution and selling of vape in Malaysia. This include the assessment of current legal position in manufacturing, distribution and selling of vape in Malaysia and highlighting its strength and weaknesses. Thereafter, this study determines the possible reform to the current legal positions in Malaysia in regulating the manufacturing, distribution and selling of vape. A mixed method was adopted with the combination of doctrinal, qualitative and comparative research methodology. The study shows that there are no regulations in Malaysia governing vape. The only provision available relating to vape, is the nicotine, that is governed under the Poison Act 1952. However, this research shows that Poison Act 1952 is too rigid in governing nicotine used in vape because nicotine under this Act is for medicinal purpose. Therefore, amendments need to be done to regulate vape as a commercial product under the Control of Tobacco Product Regulation 2004 and not as a medicinal product under the Poison Act 1952. The regulations of vape must take into consideration the balancing between the public health interest and economy's impact.

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