

UNIVERSITI TEKNOLOGI MARA

**A COMPARATIVE LEGAL STUDY
ON THE REGULATION OF
MEDICINE ADVERTISEMENT IN
MALAYSIA AND AUSTRALIA**

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Dissertation submitted in partial fulfilment
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

Advertisement can be a source of information for the viewers to understand and appreciate the product being marketed. Same goes to advertisement of medicine and medicinal products. Consumers may gain some knowledge through advertisement and making them able to make inform decisions in purchasing medicine for the treatment of their illnesses or in maintaining their general health. However, to achieve this objective, advertiser must also be a responsible party. A truthful, fair, ethical, accurate and balance information and claims in an advertisement will definitely benefits the viewers and consumers. In ensuring this system works well, a proper and extensive controls is needed. Whether through legal frameworks or effective administrative measures, this aim could only be achieved if it is done in proper manner and efficiently. The current legal frameworks in Malaysia may have some flaws and shortcomings. This research intends to explore these issues. With that findings, further recommendations could be made for the regulators and legislators to deliberate about. In doing so, there is nothing wrong for us to look around on what other countries are doing and how does they manage medicine advertisement in their country. Australia being a well-developed nation and inheriting the same common law system like in Malaysia, is chosen in this study. Australia's law on medicine advertising is explored and understood. In the end, this study will bring forward certain issues that require quick corrections while at the same time suggesting some applicable measures or concept done by Australia to be applied locally, either in term of legal frameworks or non-legal approaches of medicine advertisement control. Ultimately, the whole purpose of this study and the control of medicine advertisement in general, is for the benefits of the public health which in turn, would give impact to the nation as a whole, either economically or in their social behavior.

TABLE OF CONTENTS

AUTHOR'S DECLARATION	i
ABSTRACT	ii
ACKNOWLEDGEMENT	iii
TABLE OF CONTENTS	iv
LIST OF TABLES	vii
LIST OF ABBREVIATIONS	viii
LIST OF CASES	ix
LIST OF STATUTES	x
CHAPTER ONE: INTRODUCTION	1
1.1 Introduction to The Research	1
1.2 Background of Research	1
1.3 Problem Statement	3
1.4 Research Objectives	3
1.5 Research Methodology	4
1.6 Research Scope and Limitation	5
1.7 Contribution of The Research	6
1.8 Concluding Remarks	6
CHAPTER TWO: MEDICINE ADVERTISEMENT IN MALAYSIA	7
2.1 Introduction	7
2.2 Relevant Laws in Malaysia	7
2.2.1 Poison Act 1952	8
2.2.2 Sale of Drugs Act 1956	10
2.2.3 Control of Drugs and Cosmetics Regulations 1984	11
2.2.4 Medicines (Advertisement and Sale) Act 1956	13
2.2.5 Medicine Advertisements Board Regulations 1976	16
2.3 Classification of Medicine	16
2.3.1 Prescription Medicine	16
2.3.2 Non-Prescription Medicine	18
2.3.2.1 Group C Poison	18

2.3.2.2	Non-scheduled Poison	18
2.3.2.3	Health Supplements	19
2.3.2.4	Natural Products	19
2.4	Advertisement Control	21
2.4.1	Pharmacy Enforcement Division	21
2.4.2	Medicine Advertisement Board	24
2.5	Guideline on Advertising of Medicines and Medicinal Products to General Public	27
2.6	Issues of Advertisement	30
2.7	Cases in Malaysia	39
2.7.1	PP v Twenty First Century Product Sdn Bhd [1994] 1 CLJ 108	39
2.7.2	PP v Oze Marketing Sdn Bhd [2015] 10 CLJ 690	40
 CHAPTER THREE: MEDICINE ADVERTISEMENT IN AUSTRALIA		42
3.1	Introduction	42
3.2	Relevant Laws in Australia	43
3.2.1	Therapeutic Goods Act 1989	43
3.2.2	Therapeutic Goods Regulation 1990	44
3.2.3	Therapeutic Goods Advertising Code 2015	45
3.2.4	Poisons Standard October 2017	46
3.2.5	Crimes Amendment (Penalty Unit) Act 2017	47
3.3	Classifications of Therapeutic Goods	48
3.3.1	AUST R Classification	48
3.3.2	AUST L Classification	48
3.3.3	Prescription	49
3.3.4	Non-prescription	50
3.3.4.1	Pharmacist only Medicine	50
3.3.4.2	Over-the-Counter (OTC) Medicine	50
3.3.4.3	Complementary medicine	51
3.4	Advertisement Control	52
3.4.1	Issues on Therapeutic Goods Advertisements	53
3.4.2	Therapeutic Goods Advertising Code 2015 (TGAC)	60
3.4.3	Complaints Resolution Panel (CRP)	62
3.5	Enforcement Power	64
3.6	Cases in Australia	65