

**P.U.(A) 283/1976**  
**MEDICINE ADVERTISEMENTS BOARD REGULATIONS 1976**  
*Incorporating latest amendment - P.U.(A) 28/2020*

**Publication Date** : **9th September 1976**  
**Date of coming into operation** : **10th September 1976**

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**ARRANGEMENT OF REGULATIONS**

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Preamble

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**Preamble**

IN exercise of the powers conferred by section 7 of the Medicines (Advertisement and Sale) Ordinance 1956 ,the Minister makes the following regulations:

**Regulation 1. Citation and commencement.**

These regulations may be cited as the **Medicine Advertisements Board Regulations 1976** and shall come into force on a date to be appointed by the Minister by notification in the *Gazette*.

**Regulation 2. Establishment and constitution of Medicine Advertisements Board.**

(1) The Medicine Advertisements Board (“hereinafter referred to as the Board”) is established and shall consist of –

(a) *ex officio* members as follows:

- (i) the Director General of Health, Malaysia;
- (ii) the Senior Director of Pharmaceutical Services, Ministry of Health;
- (iii) the Director of Medical Practise Division, Ministry of Health;
- (iv) the Director of Pharmacy Enforcement Division, Ministry of Health;
- (v) the Secretary of Malaysian Medical Association;
- (vi) the Secretary of Association of Private Hospital of Malaysia;
- (vii) the Secretary of Federation of Private Medical Practitioners Associations, Malaysia; and

(b) members appointed by the Minister as follows:

- (i) one physician in the public service;
- (ii) one pharmacologist;
- (iii) three registered pharmacists in the public service;
- (iv) two registered pharmacists not in the public service; and
- (v) one officer from the Ministry of Communications and Multimedia.

[Subs. P.U.(A) 28/2020]

(2) Every member, other than the *ex officio* members, shall, unless he shall sooner resign, hold office for a period of three years or such shorter period as the Minister may in any particular case determine from the date of his appointment.

(3) Any person ceasing to be a member of the Board shall be eligible for re-appointment.

(4) The Minister may appoint a person similarly qualified to be a temporary member of the Board during the incapacity through illness or during the absence from Malaysia of any member.

**Regulation 3. Proceedings of Board.**

(1) The Director - General of Health, Ministry of Health shall be the Chairman of the Board and shall preside at all meetings which he attends. The Director of Pharmaceutical Services shall be the alternate Chairman and shall preside at meetings in the absence of the Chairman.

*[Am. P.U.(A) 27/1977]*

(2) The Board shall meet at such places and times as the Chairman may appoint and at any meeting three members including the Chairman or member presiding shall form a quorum.

(3) The Board may invite any one or more persons to attend any meeting of the Board but a person so attending shall not have the right to vote at the meeting.

(4) There may be paid to members of the Board such allowances and other expenses as may be determined by the Board with the approval of the Minister and such allowances and expenses shall be payable out of the general revenues of the Government.

(5) The Minister shall, after consultation with the Board, appoint a pharmacist in the public services as the Secretary to the Board who shall not be a member of the Board or have any right to vote at its meetings.

**Regulation 4. Board may regulate its own procedure.**

(1) Subject to the provisions of these Regulations, the Board shall have power to regulate its own procedure.

(2) No action or proceeding of the Board shall be questioned on the ground -

(a) of the existence of any vacancy in the membership or any defect in the constitution of the Board;

(b) of any omission, defect or the irregularity in procedure not affecting the merits of the case.

**Regulation 5. Issue approvals.**

(1) The Board may issue approvals for advertisements to be publicised.

(2) Every approval shall be substantially in Form A in the Schedule and shall state the name of the person or firm to whom it is issued, and the media through which such advertisements may be publicised and the period for which such approval is valid.

*[Am. P.U.(A) 384/1976]*

(3) Every approval shall be subject to such terms and conditions as the Board may in its discretion impose.

(4) The Board may, in its discretion, issue or refuse to issue such approval or may cancel any such approval previously issued.

**Regulation 6. Appeal.**

Any person aggrieved by any decision of the Board may appeal to the Minister whose decision shall be final.

**Regulation 7. Numbering of approvals.**

(1) Every approval issued by the Board shall be numbered consecutively with an approval serial number according to the medium of advertisement and the year in which the approval is issued, commencing each year with the number one, and shall be given an expiry date.

*[Am. P.U.(A) 28/2020]*

(2) The approval serial number and expiry date shall be legibly displayed in every advertisement published in print or in the form of a hoarding, illuminated sign, or printed matter.

*[Am. P.U.(A) 28/2020]*

(3) Where an advertisement is published through the medium of a motion-picture film or a film-slide, the approval serial number and expiry date shall be legibly marked, in the case of a motion-picture film, on any part of the blank celluloid at the beginning of the film strip and, in the case of a film-slide, on the material forming its frame or border.

*[Am. P.U.(A) 28/2020]*

**Regulation 8. Application and fees.**

(1) An application for approval of advertisements shall be made substantially in Form B in the Schedule.

*[Am. P.U.(A) 384/1976]*

*Medicine Advertisements Board Regulations 1976*

(2) The Board may, before issuing an approval, require an applicant to supply any further particulars it deems necessary for the exercise of its discretion.

(3) Every application for approval of advertisement shall be accompanied by a fee of three hundred ringgit.

*[Subs. P.U.(A) 331/2018]*

(4) The fee which has been paid under subregulation (3) shall not be refundable.

*[Ins. P.U.(A) 331/2018]*

**SCHEDULE**

FORM A

MEDICINE ADVERTISEMENTS BOARD REGULATIONS 1976

(Regulation 5(2))

**APPROVAL FORM**

Approval Serial No.....

Application Reference No.....

Name of Applicant .....

Address .....

.....

.....

Name of article/service .....

Type of article/service .....

Media to be used .....

Language to be used .....

The form and content of the advertisement shall be as per copy attached.

This approval is valid for a period of .....

from ..... until .....

but the Board may in its discretion, cancel the approval before the expiry date. This approval is subject to the following conditions:

.....

.....

.....

SECRETARY,  
MEDICINE ADVERTISEMENT BOARD,  
MINISTRY OF HEALTH, MALAYSIA

FORM B

MEDICINE ADVERTISEMENTS BOARD REGULATIONS 1976

(Regulation 8(1))

APPLICATION FORM

To,

Secretary,  
Medicine Advertisements Board,  
Ministry of Health Malaysia,  
Kuala Lumpur

Sir,

I apply for approval for the advertisement of -

- (i) Name of article/service .....
- (ii) Type of article/service .....
- (iii) Media to be used .....
- (iv) Language to be used .....
- (v) I submit twelve copies of the advertisement in the language to be used.
- (vi) I enclose \*cheque/money order/ postal order bearing number ..... for RM300.00 (Ringgit: Three hundred only) as payment.

[Subs. P.U.(A) 331/2018]

2. I confirm that all the information above are true.

- Signature of applicant .....
- Name of applicant (in capital letters) .....
- Identity card No.....
- Address of applicant .....
- .....
- .....
- Telefon No.....

\* Delete where appropriate

**FOR OFFICE USE**

- 1. Approved/Not approved/Cancelled/Do not require approval and date .....
- 2. Fail reference: .....
- 3. Subject to the following conditions:

SECRETARY,  
MEDICINE ADVERTISEMENT BOARD,  
MINISTRY OF HEALTH, MALAYSIA  
[Subs. P.U.(A) 384/76; Subs. P.U.(A) 49/91]

*Medicine Advertisements Board Regulations 1976*

**LIST OF AMENDMENTS**

<i>Amending law</i>	<i>Short title</i>	<i>In force from</i>
P.U.(A) 384/1976	Medicine Advertisements Board (Amendments) Regulations 1976	01-07-1977
P.U.(A) 27/1977	Medicine Advertisements Board (Amendments) Regulations 1977	11-02-1977
P.U.(A) 415/1977	Medicine Advertisements Board (Amendments) Regulations 1977	23-12-1977
P.U.(A) 49/1991	Medicine Advertisements Board (Amendments) Regulations 1991	01-02-1991
P.U.(A) 380/1991	Medicine Advertisements Board (Amendment) (No.2) Regulations 1991	01-10-1991
P.U.(A) 331/2018	Medicine Advertisements Board (Amendment) Regulations 2018	01-01-2019
P.U.(A) 28/2020	Medicine Advertisements Board (Amendment) Regulations 2020	30-01-2020