L.N. 555 OF 1952

DANGEROUS DRUGS REGULATIONS, 1952

Incorporating latest amendment - P.U. (A) 1/2018

Date of coming into operation : 1st November, 1952

ARRANGEMENT OF REGULATIONS

IN exercise of the powers conferred by sections 7, 16, and 47 of the Dangerous Drugs Ordinance, 1952, the High Commissioner in Council hereby makes the following Regulations:

Regulation 1. Citation and commencement.

These Regulations may be cited as the **Dangerous Drugs Regulations, 1952,** and shall come into force on the 1st day of November, 1952.

Regulation 2. Interpretation.

(1) In these Regulations unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"authority" means any written licence or authorization granted under or any general authorization conferred by these Regulations and the expression "authorized" shall be construed with reference to such authority;

"Director General of Health" means the Director General of Health, Malaysia;

"drugs" means any dangerous drug as defined in the Ordinance;

"inspector" means any Inspector of Dangerous Drugs and Poisons appointed under the Ordinance;

"Part I Poisons" means poisons defined as Part I Poisons in the Poisons Ordinance, 1952;

"preparation" means any preparation which is included in the First Schedule to the Ordinance;

"product" means any product registered under the Control of Drugs and Cosmetics Regulations 1984 [*P.U. (A) 223/1984*];

[*Ins. P.U.(A) 228/2004*]

"Register" means a bound book and does not include any form or loose-leaf register or card-index;

"the Ordinance" means the Dangerous Drugs Ordinance, 1952.

(2) For the purposes of these Regulations, but subject in each case to any limitation attached to his authority:

(a) a person authorized to manufacture a drug shall be deemed to be authorized to supply that drug;

(b) a person authorized to supply a drug or preparation shall be deemed to be a person authorized to be in possession of, to procure, to offer to supply or procure, and to advertise for sale, that drug or preparation; and

(c) a person authorized to supply a drug by way of wholesale dealing shall be deemed to be a person authorized to supply such drug to a person included in class (*a*), (*b*), (*d*), (*e*), (*f*), (*g*) or (*h*) of Regulation 8 of these Regulations.

Regulation 3. [*Deleted*].

[*Deleted by P.U.(A) 139/1976*]

Regulation 4. Manufacture of drugs.

A person shall not manufacture, or carry on any process in the manufacture of a drug—

(a) unless he is duly licensed or authorized so to do;

(b) except on premises specified in such licence or authority or otherwise authorized under these Regulations;

(c) otherwise than in accordance with the terms and conditions of his authority.

Regulation 5. Supplying, procuring and advertising of drugs and preparations.

(1) A person shall not supply or procure, or offer to supply or procure, to or for any person (including himself) whether in Malaysia or elsewhere, or advertise for sale a drug or preparation—

[*Am. P.U.(A) 157/1978*]

(a) unless he is authorized so to do;

(b) otherwise than in accordance with the terms and conditions of his authority:

Provided that for the purposes of these Regulations the administration of a drug or preparation by, or under the direct personal supervision and in the presence of, a registered medical practitioner, or by, or under the direct personal supervision of and in the presence of, a registered dentist in the course of dental treatment, shall not be deemed to be the supplying of a drug or preparation.

(2) Subject as hereinafter provided, a person shall not supply or procure, or offer to supply or procure, a drug or preparation to or for any person unless that person is authorized to be in possession of the drug or preparation and the drug or preparation is to be supplied or procured in accordance with the terms and conditions of that person's authority.

Regulation 6. Possession of drugs and preparations.

(1) A person shall not be in possession of a drug or preparation unless he is so authorized.

(2) For the purposes of these Regulations—

(a) a person to whom a drug or preparation is lawfully supplied—

(i) by a registered medical practitioner or veterinary surgeon authorized under sub-paragraph (*e*) of paragraph (1) of Regulation 8 of these Regulations who dispenses his own medicines; or

(ii) on a prescription lawfully given by a registered medical practitioner, a registered dentist or an authorized veterinary surgeon,

shall be deemed to be a person authorized to be in possession of the drug or preparation so supplied:

Provided that a person supplied with a drug or preparation by, or on a prescription given by, a medical practitioner shall not be deemed to be a person authorized to be in possession of the drug or preparation if he was then being supplied with such drug or preparation by, or on a prescription given by, another medical practitioner in the course of treatment and did not disclose the fact to the first-mentioned medical practitioner before the supply by him or on his prescription.

But nothing in this proviso shall be construed so as to deem guilty of an offence any person supplying or procuring any drug or preparation to or for any other person unless such supplier or procurer knew or had reason to believe that such other person was then being supplied with such drug or preparation by or on a prescription given by another medical practitioner.

(b) a person shall be deemed to be in possession of a drug or preparation if it is in his actual custody or is held by any other person subject to his control or for him or on his behalf.

(3) Any person in possession of a drug or preparation in contravention of the provisions of this Regulation shall be guilty of an offence and shall, where no other penalty is specifically provided, be liable to a fine of five thousand dollars or to imprisonment for a term not exceeding four years or to both such fine and imprisonment.

Regulation 7. Restriction on delivery of drugs and preparation to messengers.

(1) Where a drug or preparation is to be lawfully supplied to any person (hereinafter referred to as "the recipient") otherwise than by, or on a prescription given by, a duly qualified medical practitioner, the person supplying the drug or preparation (hereinafter referred to as "the supplier") shall not deliver it to a person who purports to be sent by or on behalf of the recipient, unless that person either:

(a) is a person authorized under these Regulations to be in possession of that drug or preparation; or

(b) produces to the supplier a statement in writing signed by the recipient to the effect that he is authorized by the recipient to receive the drug or preparation in question on behalf of the recipient and the supplier is reasonably satisfied that the document is a genuine document.

(2) A person to whom a drug or preparation is lawfully delivered in the circumstances mentioned in sub-paragraph (*b*) of paragraph (1) of this Regulation shall be deemed to be a person authorized to be in possession thereof, but for such period only as in the circumstances of the case is reasonably sufficient to enable the delivery to the recipient to be effected.

(3) Any supplier delivering any drug or preparation otherwise than in accordance with this Regulation to any person other than the recipient shall be guilty of an offence and punishable in the same manner as if he had supplied such drug or preparation not being an authorized person.

(4) Where a drug or preparation is to be lawfully supplied to any person and is to be sent to that person by post it shall be sent by registered or insured post.

Regulation 8. General authority for certain classes of persons to possess and supply drugs and preparations.

(1) Persons who are members of the following classes that is to say:

(a) registered medical practitioners;

(b) registered dental surgeons;

[*Am. P.U.(A) 157/1978*]

(c) registered pharmacists who are licensed under the Poisons Ordinance, 1952, to sell Part I Poisons by retail;

(d) registered pharmacists who are employed or engaged in dispensing medicines at a public hospital or other public institution;

(e) the Director of Veterinary Services and such veterinary surgeons as are authorized by the Minister;

(f) persons who are in charge of a laboratory used for research or instruction at an institution and approved by the Minister;

(g) persons in charge of a dispensary which is maintained by an estate or mine and is approved by the Minister;

(h) chemists of the Department of Chemistry and any Municipal Analyst;

(i) inspectors;

(j) any medical or dental officer of any visiting force lawfully present in Malaysia or of any Local Forces established under any written law who is resident in Malaysia on full pay and acting in the course of his duty,

[*Am. P.U.(A) 157/1978*]

are hereby authorized, subject to the provisions of Regulation 10 so far as may be necessary for the practice or exercise of their respective professions, functions or employments, in their capacity as members of their respective classes, to be in possession of and to supply drugs or preparations:

Provided that a dentist or dental officer shall not be authorized to supply drugs or preparations.

Interpretation: "Institution."

(2) In this Regulation the expression "institution" means a university, university college, public hospital, public research institute or other like institution.

Regulation 9. General authority for persons who are authorized sellers of poisons to manufacture preparations and retail drugs and preparations.

(1) Registered pharmacists who are licensed to sell Part I Poisons by retail are hereby authorized—

(a) to manufacture in the ordinary course of their retail business (i) any tincture of poppy-straw or cannabis, and (ii) any preparation; and

(b) subject to the provisions of these Regulations to carry on the business of retailing, dispensing or compounding drugs or preparations.

(2) Every drug or preparation in the actual custody of a person authorized by virtue of this Regulation shall be kept in a locked receptacle which can be opened only by him or by some assistant of his being a registered pharmacist, except when the necessities of the practice of the profession, function or employment by virtue of which that person is authorized as aforesaid otherwise require.

(3) Any person, failing or omitting to keep any drug or preparation in the manner required by paragraph (2) of this Regulation shall be guilty of an offence and liable to a fine of five hundred dollars.

Regulation 10. Withdrawal of authority.

(1) If any person, being an authorized person, is convicted of an offence against the Ordinance or these Regulations, the Minister may, if he is of opinion that that person cannot properly be allowed to remain an authorized person, by notice in the *Gazette*, withdraw the authority of that person:

Provided that—

(a) in the case of a person authorized by virtue of the last preceding Regulation the Minister shall, before withdrawing the authority, consult the Pharmacy Board established under the Registration of Pharmacists Ordinance, 1951;

(b) nothing in this Regulation shall be taken to prejudice any power otherwise vested in the Minister or the Director General of Health of withdrawing any authority granted by him.

(2) Where the person whose authority is withdrawn under paragraph (1) of this Regulation is a registered medical practitioner, registered dentist or an authorized veterinary surgeon, the Minister may by notice given in like manner, direct that it shall not be lawful for that person to give prescriptions for the purpose of these Regulations.

(3) If the Minister has reason to suspect that a registered medical practitioner or registered dentist is supplying or prescribing drugs or preparations to or for either himself or any other person otherwise than is properly required for the purpose of the medical or dental treatment of himself or that other person, the Minister may refer the matter to a tribunal constituted in accordance with the provisions contained in the First Schedule to these Regulations, and, if the tribunal so recommend, the Minister may, by notice in the *Gazette*, withdraw the authority of the practitioner or dentist to supply, procure or be in possession of drugs or preparations and give the like direction with respect to him as may be given under paragraph (2) of this Regulation.

Regulation 11. Form of prescription.

(1) For the purposes of these Regulations "prescription" means a prescription directing the supply of a drug or preparation and given either by a registered medical practitioner for the purposes of medical treatment, by a registered dentist for the purposes of dental treatment or by an authorized veterinary surgeon for the purposes of animal treatment.

(2) A person by whom a prescription is given shall comply with the following requirements:

The prescription must—

(a) be in writing and signed by the person giving it with his usual signature and dated by him;

(b) specify the address of the person giving it;

(c) specify the name and address of the person for whose treatment it is given or, if it is given by a veterinary surgeon, of the person to whom the article prescribed is to be delivered;

(d) have written thereon, if given by a dentist, the words "for local dental treatment only", and if given by a veterinary surgeon, the words "for animal treatment only"; and

(e) specify, if it prescribes a preparation containing or compounded of preparations all of which are contained in the British Pharmacopoeia or the British Pharmaceutical Codex, the total amount of the preparation or of each preparation, as the case may be, and in any other case the total amount of the drug to be supplied.

Regulation 12. Dispensing of prescriptions.

(1) A person shall not supply a drug or preparation on a prescription—

(a) unless the prescription complies with the provisions of these Regulations relating to prescriptions; and

(b) unless in the case of any prescription, he either—

(i) is acquainted with the signature of the person by whom it purports to have been given and has no reason to suppose that it is not genuine; or

(ii) has taken reasonably sufficient steps to satisfy himself that it is genuine.

(2) Any person supplying a drug or preparation on a prescription in contravention of paragraph (1) of this Regulation shall be guilty of an offence and liable to a fine not exceeding two thousand dollars.

(3) If a prescription expressly states that it may, subject to the lapse of a specified interval or of specified intervals, be dispensed a second or third time, the drug or preparation thereby prescribed may, as the case may be, be supplied a second or a third time after the specified interval or intervals and no more, but, subject as aforesaid, a prescription shall not for the purposes of these Regulations be taken to authorize the drug or preparation prescribed to be supplied more than once.

(4) The person dispensing a prescription shall, at the time of dispensing it, mark thereon the date on which it is dispensed and in the case of a prescription which may be dispensed a second or third time, the date of each occasion on which it is dispensed, and shall retain it and keep it on the premises where it is dispensed and so as to be at all times available for inspection.

(5) Any person dispensing a prescription who shall fail to mark such prescription in the manner required by paragraph (4) of this Regulation or who shall fail to retain or keep it on the premises or who shall fail to produce it for inspection when lawfully required shall be guilty of an offence and liable to a fine not exceeding one thousand dollars.

Regulation 13. Supply by authorized retailers to certain authorized persons.

(1) A registered pharmacist shall not supply any drug to any person authorized under Regulation 8 of these Regulations unless the following conditions are fulfilled:

(a) there must have been received by the seller before the sale an order in writing signed by the purchaser stating his name and address and the name and quantity of the articles to be purchased;

(b) the seller must be reasonably satisfied that the signature affixed to the order is in fact the signature of the person purporting to sign it, and that that person is a registered medical practitioner, a registered dental surgeon, an authorized veterinary surgeon or a person duly authorized in class (*f*), (*g*), (*h*), (*i*) or (*j*) of the said Regulation;

[*Am. P.U.(A) 157/1978*]

(c) the article sold, if sent by post to the purchaser, must be sent by registered or insured post;

(d) the seller must enter in the Register the amount of drug supplied and the form in which it is supplied, together with the date on which the order is executed.

Provided that if a seller is reasonably satisfied that a registered medical practitioner, a registered dentist, or a duly qualified veterinary surgeon, desiring to purchase a drug urgently requires it for the purpose of his profession, but is, by reason of some emergency, unable, before delivery, either to furnish to the seller an order in writing duly signed, or to attend and sign the book, the seller may send the drug to the purchaser to be handed over to him either in exchange for such an order to the seller within the twenty-four hours next following.

(2) If any purchaser by whom any such undertaking as aforesaid has been given fails to deliver to the seller a signed order in accordance with such undertaking, or if any person for the purpose of obtaining delivery of any drug under the foregoing proviso makes a statement which is to his knowledge false, he shall be guilty of an offence and liable on conviction to a fine not exceeding two thousand dollars or imprisonment of either description for a term which may extend to twelve months, or to both.

Regulation 14. Marking of packages and bottles.

(1) Subject to the provisions of this Regulation a person shall not—

(a) supply a drug unless the package or bottle in which it is contained is plainly marked with the amount of the drug contained therein; or

(b) supply a preparation, unless the package or bottle in which it is contained is plainly marked—

(i) in the case of a powder, solution or ointment, with the total amount thereof in the package or bottle and the percentage of the drug contained in the powder, solution or ointment; or

(ii) in the case of tablets or other similar articles with the amount of the drug in each article and the number of articles in the package or bottle.

(2) This Regulation shall not apply in a case where a preparation is lawfully supplied in accordance with these Regulations by, or on a prescription lawfully given by, a duly qualified medical practitioner.

Regulation 15. Keeping of records.

(1) Every person authorized to supply drugs or preparations shall comply with the following provisions—

(a) he shall, in accordance with the provisions of this Regulation keep in the national language or in English, a Register in the form set out in the Second Schedule to these Regulations and enter therein in chronological order true particulars with respect to every quantity of any drug or preparation obtained by him and with respect to every quantity of any drug or preparation supplied by him, whether to persons within or to persons outside Malaysia;

[*Am. P.U.(A) 157/1978*]

(b) a separate Register or a separate part of the Register shall be used with respect to each of the drugs and preparations named in Parts III, IV and V of the First Schedule to the Ordinance;

[*Subs. P.U.(A) 17/1978*]

(c) the required entry must be made on the day on which the drug or preparation is received by or supplied by him, or, if that is not reasonably practicable, on the day next following the said day;

(d) no cancellation, obliteration or alteration shall be made of an entry in the Register and any correction of an entry must be made by way of a marginal note or a footnote which must specify the date on which the correction is made;

(e) the authorized person shall, on demand by the Director General of Health or by any person empowered in that behalf, by order in writing by the Director General of Health, furnish to the Director General of Health or that person, as the case may be, such particulars as the Director General of Health or that person may require with respect to the obtaining or supplying by the authorized person of any drug or preparation or with respect to any stocks of drugs or preparations in the possession of the authorized person.

(2) So much of this Regulation as requires a person to enter in the Register particulars with respect to drugs or preparations supplied by him shall not apply to—

(a) a registered practitioner or a registered dentist who enters in a day-book particulars of every drug or preparation supplied by him to any person, together with the name and address of that person and the date of the supply, and enters in a separate book kept, in the national language or English, for the purposes of this Regulation a proper reference to each entry in the day-book which relates to the supply of any drug or preparation; or

(b) a licensed retail seller of Part I Poisons within the meaning of the Poisons Ordinance, 1952, who enters in the Register a proper reference to each entry in the Prescription Book which relates to the supply of any drug or preparation.

(3) Reference in the separate book must be made in chronological order and the book must be kept in the separate parts relating respectively to each of the several classes of drugs and preparations specified in paragraph (1) of this Regulation, and must not be used for any purpose other than the purposes of paragraph (2) of this Regulation.

(4) The entry in the day-book or in the separate book must be made on the day on which, but for paragraph (2) of this Regulation, an entry would have been required to be made in the Register, and sub-paragraph (*e*) of paragraph (1) of this Regulation shall apply as respect any such entry.

(5) Every Register, every separate book kept under the provisions of paragraph (2) of this Regulation, every day-book in which any entry with respect to the supply of a drug or preparation is made and every Prescription Book containing an entry which is referred to in the Register shall be kept on the premises to which the Register, separate book, day-book or Prescription Book relates or where the prescription was dispensed, as the case may be, and so as to be at all times available for inspection.

(6) Every entry required to be made under this Regulation and every correction of such an entry must be made in ink or otherwise so as to be indelible.

Interpretation: "proper reference."

(7) For the purposes of this Regulation, "a proper reference" means a reference which is entered in the Register under the same date as that on which the entry in the day-book or in the Prescription Book was made and is otherwise such as to enable that entry to be easily identified.

(8) Any registered pharmacist who manufactures any product, or compounds any preparation containing any drug, shall enter in the Register true particulars with respect to every drug used by him in manufacturing or compounding such product or preparation, respectively.

[*Subs. P.U.(A) 228/2004*]

Regulation 16. Preservation of records.

(1) All registers, records, books, prescriptions, signed orders and other documents which are kept, issued or made in pursuance of the requirements or for the purposes of these Regulations shall be preserved; in the case of a register, book or other like record for a period of two years from the date on which the last entry is made therein, and in the case of any other document for a period of two years from the date on which it is issued or made.

(2) Any person failing to comply with the requirements of this Regulation shall be guilty of an offence against the Ordinance and liable to a fine not exceeding two thousand dollars.

Regulation 17. Special provisions with respect to ships.

(1) The master of any ship is hereby authorized to be in possession of drugs and preparations so far as may be necessary to comply with any written law relating to merchant shipping for the time being in force in the country in which the ship is registered and to supply drugs and preparations to members of the crew of the ship subject to and in accordance with any instructions issued by a competent authority of the said country and to any conditions imposed by the Director General of Health.

(2) Where any drug or preparation is supplied to a member of the crew of a ship an entry in the ship's official log book of the medical treatment adopted shall notwithstanding anything to the contrary in these Regulations be a sufficient record of the supply provided that the entry specifies the drug or preparation and the quantity thereof supplied.

(3) (*a*) The master of any ship is hereby authorized to purchase such quantity of drugs or preparations as may be certified by a Port Health Officer to be necessary for the equipment of the ship.

(*b*) Any person who supplies a drug or preparation in accordance with a certificate given under sub-paragraph (*a*) of this paragraph shall retain the said certificate and endorse upon it the date on which the drug or preparation was supplied and shall keep the said certificate for a period of two years from the said date so as to be at all times within that period available for inspection. Any person failing to keep such certificate so as to be available for inspection for the said period of two years shall be guilty of an offence and shall be liable to a fine not exceeding two thousand dollars.

(*c*) For the purposes of the Poisons Ordinance, 1952, the sale to a master of a ship under this Regulation shall be deemed to be a sale to the Port Health Officer.

Regulation 18. Wholesale licences.

(1) A person shall not supply or procure or offer to supply or procure by way of wholesale dealing, to or for any person (including himself) or whether in Malaysia or elsewhere advertise for sale by way of wholesale dealing, a drug or preparation—

[*Am. P.U.(A) 157/1978*]

(a) unless he is duly authorized by a licence in the form set out in the Fourth Schedule to these Regulations so to do;

(b) otherwise than in accordance with the terms and conditions of his licence;

(c) if the drug or preparation is to be supplied to or procured for any person unless that person is authorized to be in possession of the drug or preparation, or to, or for a person so authorized otherwise than in accordance with the terms and conditions of that person's authority.

(2) For the purposes of this Regulation "by way of wholesale dealing" means "for the purpose of resale".

(3) The fee for a licence issued under sub-paragraph (*a*) of paragraph (1) of this Regulation shall be fifty dollars per annum.

Regulation 18A. Prescribed fees for export and import authorization and removal licence.

A fee of one hundred ringgit shall be payable for each issue of—

(a) an export authorization under section 19;

(b) an import authorization under section 20; and

(c) a removal licence under section 22,

of the Ordinance:

Provided that the Director-General of Health may in his discretion exempt any person from payment of such fee.

[*Ins. P.U.(A) 320/1976*]

Regulation 19. Restrictions on dealings in drugs.

Any person other than a person acting in accordance with an authority under Regulation 8, 9 or 17 of these Regulations and any other Regulations applicable to such authority or with a licence under Regulation 18 of these Regulations who, whether on his own behalf or on behalf of any other person, buys or sells, or supplies or procures, or otherwise deals in, or offers to deal in or advertises for sale any drug, whether such drug be in Malaysia or elsewhere, and whether it be ascertained or appropriated or in existence or not shall be guilty of an offence and shall when no other penalty is specifically provided by these Regulations for such offence be liable to a fine of ten thousand dollars or imprisonment for a period not exceeding four years or to both such fine and imprisonment:

[*Am. P.U.(A) 157/1978*]

Provided that this Regulation shall not apply to a person who buys or procures for *bona fide* medical use a drug sold to him by an authorized person who has sold the same under Regulations 6 and 13 of these Regulations.

Regulation 20. Inspectors may purchase samples.

(1) Any inspector may apply to purchase any article advertised for sale or exposed for sale, which he knows or has reason to believe to consist of or contain any drug, and the person in possession or charge of such article shall supply such article to him and shall not charge more than the advertised or a reasonable price therefor.

(2) The inspector making any such purchase may select the actual case, bottle or package which he requires, or may demand to be served from any receptacle pointed out by him, and the person in possession or charge shall comply with such requirement or demand.

(3) An inspector purchasing any article with the intention of submitting the same to analysis shall immediately on completion of the purchase—

(a) notify to the seller or his agent selling the article his intention to have the same analysed;

(b) divide the same into three parts;

(c) mark and seal or fasten up each one of the parts in such manner as its nature will permit;

(d) deliver one of the parts to the seller or his agent and another to the Chief Chemist, West Malaysia, or, in Sabah and Sarawak, a chemist in the employment of the Government of Malaysia or of the Government of the respective State for analysis; and

[*Am. P.U.(A) 157/1978*]

(e) retain the third part for comparison.

Penalty.

(4) Any person who without reasonable excuse contravenes any provision of paragraphs (1) and (2) of this Regulation shall be liable to a fine not exceeding one thousand dollars.

Regulation 21. Inspection of weights and measures.

(1) Any inspector may at all reasonable times inspect all weights, measures and instruments for weighing used by or in the possession of any person or on any premises for use for weighing drugs.

(2) Any person who on demand made by an inspector neglects or refuses to produce for inspection any such weights, measures or instruments for weighing used by him or in his possession, or on his premises, or refuses to permit the inspector to examine or remove for examination the same, shall be liable to a fine not exceeding five hundred dollars, and for a second or subsequent offence to a fine not exceeding one thousand dollars.

Regulation 22. Penalties: Supplying false information.

(1) Any person who wilfully supplies false information as to any particulars required to be entered in any book under these Regulations shall be guilty of an offence and liable to imprisonment of either description for a period not exceeding twelve months.

(2) Any person who enters in any book required to be kept under these Regulations false information as to any particulars prescribed to be entered knowing the same to be false or not believing it to be true shall be guilty of an offence and liable to a fine not exceeding five thousand dollars or to imprisonment of either description for a period not exceeding twelve months, or to both such fine and imprisonment.

(3) Any person who enters in such book such false information believing the same to be true shall be guilty of an offence and liable to a fine of one thousand dollars unless he proves that such entry was made without any negligence on his part.

Regulation 23. Making a false document.

(1) Any person who makes a false document for the purpose of obtaining any drug from any person authorized under Regulation 8 of these Regulations or licensed under Regulation 18 of these Regulations and any person who uses as genuine such a false document knowing or having reason to believe it to be false, shall be punished with imprisonment of either description for a period not exceeding twelve months.

(2) For the purpose of this Regulation the expression "makes a false document" has the meaning assigned to it in the Penal Code and the person making the same for the purpose specified in paragraph (1) of this Regulation shall be deemed to have made the same fraudulently.

Regulation 24. Failing to keep proper books.

(1) Every person authorized under Regulation 8 of these Regulations or licensed under Regulation 18 of these Regulations shall at all times keep such proper books as are prescribed in Regulation 15 of these Regulations showing such particulars of all drugs or preparations received and supplied as are prescribed.

(2) Any person who fails to comply with paragraph (1) of this Regulation shall be liable to a fine not exceeding two thousand five hundred dollars or to imprisonment of either description for a period not exceeding twelve months, or to both.

Regulation 25. Restriction of application of Regulations to certain preparations.

Nothing in these Regulations, except paragraph (8) of regulation 15 and regulation 16 of these Regulations, shall apply to a product containing any drug specified in the Third Schedule to these Regulations.

[*Subs. P.U.(A) 228/2004*]

Regulation 26. Director General of Health to authorize or licence persons.

(1) Where under the provisions of these Regulations any person may be specially authorized or licensed to do any act, such authorization or licence may be granted by the Director General of Health or such person as he may authorize in that behalf.

(2) Every such licence or authorization shall be in writing and shall be subject to such conditions as the Director General of Health or such person as he may authorize in that behalf, may think fit to impose and endorse upon such licence or authorization or otherwise notify in writing to the holder of such licence or authorization.

(3) No person shall have a right to any such licence or authorization.

(4) The Director General of Health or such person as he may authorize in that behalf may at any time at his discretion cancel or vary such licence or authorization or cancel, vary or add to any of the conditions thereon upon written notice to the holder thereof which shall be deemed duly served upon such holder by leaving the same at his last known place of address.

FIRST SCHEDULE

[Regulation 10 (3)]

1. The Tribunal, in the case of a medical practitioner shall consist of the Director General of Health and two registered medical practitioners; and in the case of a dentist, shall consist of the Director General of Health and two registered dentists, together with in each case a legal assessor.

2. The members of the Tribunal (other than the Director General of Health) and the legal assessor shall be appointed by the Minister.

3. In the case of a medical practitioner, the medical members of the Tribunal shall be appointed on the nomination of the Malaysian Medical Council established by the Medical Act 1971 [*Act 50*].

[*Am. P.U.(A) 157/1978*]

4. In the case of a dentist, the dental members of the Tribunal shall be appointed on the nomination of the Malaysian Dental Council established by the Dental Act~~,~~ 1971 [*Act 51*].

[*Am. P.U.(A) 157/1978*]

SECOND SCHEDULE

[Regulation 15 (1) (a)]

FORM OF REGISTER

PART I

Entries to be made in case of drugs or preparations obtained.

(The class of drugs and preparations to which the entries relate to be specified at the head of each page in the Register).

Date on which supply received	Name Address of person or firm from whom obtained	Amount obtained	Form in which obtained

PART II

Entries to be made in case of drugs or preparations supplied.

(The class of drugs and preparations to which the entries relate to be specified at the head of each page in the Register).

Date on which the transaction was effected	Name Address of person or firm supplied	Authority of person or firm supplied to be in possession	Amount supplied	Form in which supplied

THIRD SCHEDULE

[*Subs. P.U.(A) 228/2004*]

[Regulation 25]

1. Product containing any of the following drugs or its analogues, homologues, compounds, intermediates, derivatives, isomers, esters, ethers and salts or other substances structurally derived:

[*Am. P.U.(A) 332/2006*]

Acetyldihydrocodeine
Cocaine
Codeine
Dextropropoxyphene
Difenoxin
Diphenoxylate
Ethylmorphine
Nicocodine
Nicodicodine
Norcodeine
Opium
Pholcodine
Propiram

[*Subs. P.U.(A) 228/2004*]

2. Product containing any of the following drugs or its analogues, homologues, compounds, intermediates, derivatives, isomers, esters, ethers and salts or other substances structurally derived:

Alfentanil
Dihydrocodeine
Fentanyl
Ketamine
Methadone
Morphine
Oxycodone
Pethidine
Remifentanil
Sufentanil

[*Ins. P.U.(A) 332/2006*]
[*Am. P.U. (A) 1/2018*]

FOURTH SCHEDULE

DANGEROUS DRUGS ORDINANCE, 1952
(No. 30 of 1952)

[Regulation 18]

LICENCE TO KEEP AND SELL DANGEROUS DRUGS BY WHOLESALE

Licence is hereby granted to..... of ..... carrying on business at ..... to keep and sell by wholesale at his said business premises the Dangerous Drugs hereunder specified:

.....
.....
.....
.....
.....
.....

This licence is issued subject to the provisions of "Dangerous Drugs Ordinance, 1952" and of any Regulations made thereunder and subject to the following conditions:

.....
.....
.....
.....
.....
.....
.....

This licence takes effect from the ..... day of .....1952, and expires on the 31st day of December of that year.

Dated at .....this .....day of .....19.....

.....
Director of Medical Services

Made this 23rd day of September, 1952.
[Health 1262/52]

HASHIM BIN MAT DRIS,
Clerk of Council.

LIST OF AMENDMENTS

Amending law	*Short title*	*In force from*
L.N. 213/1953	Dangerous Drugs (Amendment) Regulations 1953	25-04-1953
L.N. 335/1956	Dangerous Drugs (Amendment) Regulations 1956	26-10-1956
P.U.(A) 139/1976	Dangerous Drugs (Amendment) Regulations 1976	27-01-1976
P.U.(A) 320/1976	Dangerous Drugs (Amendment) Regulations 1976	14-10-1976
P.U.(A) 17/1978	Dangerous Drugs (Amendment) Regulations 1977	20-01-1978
P.U.(A) 157/1978	Modification of Laws (Dangerous Drugs and Poisons) (Extension and Modification) Order 1978	01-06-1978
P.U.(A) 243/1981	Dangerous Drugs (Amendment) Regulations 1981	21-08-1981
P.U.(A) 228/2004	Dangerous Drugs (Amendment) Regulations 2004	01-07-2004
P.U.(A) 332/2006	Dangerous Drugs (Amendment) Regulations 2006	08-09-2006
P.U. (A) 1/2018	Dangerous Drugs (Amendment) Regulations 2018	03-01-2018