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MEDICINES ACT
(CHAPTER 176)

MEDICINES
(TRADITIONAL MEDICINES, HOMOEOPATHIC
MEDICINES AND OTHER SUBSTANCES) (EXEMPTION)
(AMENDMENT) ORDER 2012

In exercise of the powers conferred by section 9 of the Medicines Act, the Minister for Health hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Medicines (Traditional Medicines, Homoeopathic Medicines and other Substances) (Exemption) (Amendment) Order 2012 and shall come into operation on 1st January 2013.

Deletion and substitution of paragraph 2 and new paragraph 2A

2. Paragraph 2 of the Medicines (Traditional Medicines, Homoeopathic Medicines and other Substances) (Exemption) Order (O 6) is deleted and the following paragraphs substituted therefor:

“Definitions

2. In this Order, unless the context otherwise requires —

“Chinese proprietary medicine” means any medicinal product used in the system of therapeutics according to the traditional Chinese method, that is to say, any medicinal product —

(a) which has been manufactured into a finished product;

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- (b) which contains one or more active substances derived wholly from any plant, animal or mineral, or any combination thereof; and
 - (c) which is, or all of the active substances of which are, described in the current edition of “A Dictionary of Chinese Pharmacy” <<中药大辞典>> or “The Chinese Herbal Medicine Materia Medica” <<本草纲目>>,

but does not include —

- (i) any medicinal product to be administered by injection into a human body; or
- (ii) any medicinal product which contains as an active substance any chemically-defined isolated constituent of any plant, animal or mineral, or any combination thereof;

“current edition”, in relation to any publication which describes a Chinese proprietary medicine, means an edition which is current at the time the Chinese proprietary medicine in question is sold or supplied, and includes any amendment, addition or deletion made to that edition of the publication up to that time;

“homoeopathic medicine” means any substance used in the system of therapeutics in which a disease is treated by the use of minute amounts of one or more substances which, in their undiluted forms, are capable of producing in a healthy human being symptoms similar to those of the disease being treated;

“medicated oil and balm” means any external medicated embrocation, medicated cream, ointment or inhalant —

- (a) which is used mainly for soothing purposes; and
- (b) which contains one or more of the following substances as an active ingredient or as active ingredients:
 - (i) any essential oil;

- (ii) any fixed oil derived from a plant;
- (iii) methyl salicylate;
- (iv) menthol;
- (v) camphor;
- (vi) peppermint;

“quasi-medicinal product” means —

- (a) any anti-dandruff preparation;
- (b) any medicated cosmetic product for the treatment of pimples or acne, except any preparation containing etretinate or 13-cis-retinoic acid;
- (c) any medicated soap;
- (d) any sweet for relieving coughs or throat irritations;
- (e) any medicated plaster;
- (f) any sunscreen or suntan preparation;
- (g) any medicated beverage;
- (h) any vitamin or nutritional preparation from any plant, animal or mineral, or any combination thereof; or
- (i) any medicated toothpaste;

“traditional medicine” means any medicinal product consisting of one or more substances derived from any plant, animal or mineral, or any combination thereof, but does not include the following:

- (a) any medicinal product to be administered by injection into a human body;
- (b) any vaccine to be administered to a human being;
- (c) any product derived from human blood;
- (d) any item specified in the Poisons List in the Schedule to the Poisons Act (Cap. 234);
- (e) any Chinese proprietary medicine.

Exemption from certain provisions of sections 5 and 6 of Act for Chinese proprietary medicines

2A.—(1) Section 5(1) of the Act shall not have effect in relation to any person who —

- (a) sells, supplies or exports;
- (b) procures the sale, supply or export of; or
- (c) procures for sale, supply or export, the manufacture or assembly of,

any Chinese proprietary medicine.

(2) Section 6(4) of the Act shall not have effect in relation to any person who manufactures or assembles any Chinese proprietary medicine for sale or supply to any other person, or for export.”.

Amendment of paragraph 3

3. Paragraph 3 of the Medicines (Traditional Medicines, Homoeopathic Medicines and other Substances) (Exemption) Order is amended by inserting, immediately after the words “of Act” in the paragraph heading, the words “for other substances”.

Made this 27th day of December 2012.

TAN CHING YEE
*Permanent Secretary,
Ministry of Health,
Singapore.*