



Pihak Berkuasa Kawalan Dadah
Drug Control Authority
KEMENTERIAN KESIHATAN MALAYSIA
MINISTRY OF HEALTH MALAYSIA

Ruj Kami: (35) dlm BPFK/ 02/5/1.3

Tarikh: 21.10.04

SEMUA PEMEGANG PENDAFTARAN DAN PERSATUAN BERKAITAN

Tuan,

PERMOHONAN PERTUKARAN PEMEGANG PENDAFTARAN PRODUCT (CHANGE IN MARKETING AUTHORISATION HOLDER)

Adalah saya dengan hormatnya merujuk kepada keputusan Mesyuarat Pihak Berkuasa Kawalan Dadah (PBKD) kali ke **163** yang telah diadakan pada **14hb. Oktober 2004** mengenai perkara di atas.

2. PBKD telah bersetuju bahawa:

2.1 Garispanduan baru "*Guide to Transfer of Product Marketing Authorisation*", yang kini dipaparkan pada lamanweb BPFK <http://www.bpfk.gov.my>, digunapakai.

2.2 Implementasi permohonan Pertukaran Pemegang Pendaftaran Produk dengan keperluan baru seperti digariskan akan dilaksanakan dengan serta merta dan berkuatkuasa dari tarikh surat ini.

3. Sila juga ambil maklum Module "*online*" bagi Permohonan Pertukaran Pemegang Pendaftaran produk sedang dibangunkan dan hanya boleh digunakan dimana "*product updating*" telah dijalankan dengan sempurna. Semua pemegang pendaftaran diperingatkan sekali lagi bahawa proses mengemaskinikan data produk akan hanya dilanjutkan sehingga **31hb Disember 2004**.

Sekian, terima kasih.

**'BERKHIDMAT UNTUK NEGARA'
'UTAMAKAN KUALITI, EFIKASI DAN KESELAMATAN'**

Saya yang menurut perintah,

.....
(EISAH BT. A. RAHMAN)

Setiausaha

Pihak Berkuasa Kawalan Dadah
Kementerian Kesihatan Malaysia

s.k. Pengarah Perkhidmatan Farmasi, KKM

NATIONAL PHARMACEUTICAL CONTROL BUREAU
MINISTRY OF HEALTH MALAYSIA

GUIDE TO TRANSFER OF PRODUCT MARKETING AUTHORISATIONS

INTRODUCTION

A product registration (marketing authorisation) may be transferred from the existing product marketing authorisation holder (MAH) to another holder using a transfer procedure. This administrative procedure allows for a speedy processing time and the same product registration number is maintained.

The transfer procedure must be used where the legal entity of the MAH is changed.

CONDITONS

In order to avail of this procedure, the following requirements must be met:

1. An application for permission to transfer the marketing authorisation of a product should be submitted by the proposed new MAH.
2. The existing product registration must have a remaining period of validity of at least six (6) months. If the period is less than six (6) months, product registration renewal should be done by the existing MAH before the transfer application is submitted.
3. No change may be made, as part of the transfer application, to the technical data or approved pharmaceutical / pharmacological information, including the texts of the product label and leaflet, other than the name and address of the MAH.
[Note: any change must be applied for using the variations procedure.]
4. The transferred marketing authorisation is issued for the remaining period of validity of the existing authorisation.
5. The transfer shall come into effect on the day the DCA makes its decision on the application. Upon the transfer of product registration (marketing

authorisation) to the new holder, the authorisation issued to the previous holder will be cancelled as the product cannot be marketed simultaneously by two different MAHs. The new i.e. current MAH shall bear responsibility for the product.

6. Where the application does not meet the requirements laid down for this administrative transfer procedure or the applicant wishes to obtain a new product registration number, a new application shall be made.

MAKING AN APPLICATION

The proposed new MAH must submit an application consisting of the following:

- Processing fee for the transfer application (non-refundable).
- Transfer application form :
 - hard copy (BPFK- 430.5); **or**
 - on-line (change of registration holder tray)
- A copy of the agreement concluded between the current MAH, the proposed new holder and the product owner to the mutual transfer of the product marketing authorisation (**preferably**),

OR alternatively,

Signed statements¹ relating to transfer of authorisation from

- existing product registration holder
 - proposed new holder
 - product owner.
- Current confirmation letters (from product owner and contract manufacturer) relating to agreement for contract manufacturing, where applicable.
 - Latest product label and leaflet.

[*Note 1 - Examples of the statements that can be used are given as :*

Transfer Form 430.5(1) (*statement to be signed by existing holder*), &

Transfer Form 430.5(2) (*statement to be signed by proposed new holder*).]

TRANSFER FORM 430.5(1)

**STATEMENT TO BE SIGNED BY THE EXISTING PRODUCT MARKETING
AUTHORISATION (REGISTRATION) HOLDER**

Reason for transfer application:

1. I hereby notify the Drug Control Authority (DCA) Ministry of Health Malaysia, that
.....(Name of product)
.....(Registration Number of product)
is to be transferred to
.....(name of proposed new MAH).

2. I confirm also that the entire dossier for the product is transferred to
..... (name of new proposed MAH).

This dossier includes all the data in support of the original application together with all correspondence with the DCA / National Pharmaceutical Control Bureau concerning the product .

Signed :

Full name :

Identity Card Number:

Status of signatory *:

Official Company stamp:

Telephone Number:

Fax Number:

Date :

* To be signed by the Managing Director/President/CEO or an equivalent person who has overall responsibility for the company or organisation.

TRANSFER FORM 430.5(2)

**STATEMENT TO BE SIGNED BY THE PROPOSED NEW PRODUCT MARKETING
AUTHORISATION (REGISTRATION) HOLDER**

Reason for transfer application:

1. I have received / accepted the entire dossier for
.....(Name of product)
.....(Registration Number of product)
from(Name of existing MAH).

This dossier includes all the data in support of the original application together with all correspondence with the DCA / National Pharmaceutical Control Bureau concerning the product .

2. I hereby agree that I have sole responsibility for the product including obtaining approval for any subsequent product variation and maintenance of product registration.
3. I also acknowledge responsibility in the event of pharmacovigilance issues or quality defects associated with the product that may occur in the interim transfer period.

Signed :

Full name :

Identity Card Number:

Status of signatory *:

Official Company stamp:

Telephone Number:

Fax Number:

Date :

- * To be signed by the Managing Director/President/CEO or an equivalent person who has overall responsibility for the company or organisation.

- 3.5. Nama dan kuantiti bahan aktif:
(Sila juga sertakan sesalinan formulasi lengkap produk)
- 3.6. Nama dan Alamat
Pemilik Keluaran
("product owner"):
- 3.7. Nama dan Alamat Pengilang:
- 3.8. Nama dan Alamat Pengilang Kontrak:
(Jika berkenaan)

4. PERKARA-PERKARA YANG PERLU DISERTAKAN BERSAMA-SAMA BORANG INI

- 4.1 Sijil Pendaftaran Syarikat (Akta syarikat 1965).
- 4.2 Surat kuasa dari pemilik keluaran. Surat ini mesti mengandungi maklumat berikut:
- Nama dan alamat pemohon yang dilantik sebagai pemegang baru pendaftaran, dan menamatkan pemegang sedia ada serta tarikh pertukaran berkuatkuasa.*
 - Pemegang baru akan bertanggungjawab ke atas segala hal yang berkaitan dengan pendaftaran keluaran berkenaan.*
- (Satu salinan hendaklah diberi kepada pemegang pendaftaran sedia ada yang telah ditamatkan perkhidmatannya).
- 4.3 Salinan persetujuan mengenai pertukaran pemegang pendaftaran produk yang ditandatangani oleh pemegang sedia ada, pemegang baru yang dicadangkan serta pemilik produk,
atau pun
Pernyataan secara berasingan daripada ketiga-tiga pihak berkenaan terhadap pertukaran pemegang pendaftaran produk.
- 4.4 Surat pengesahan kontrak dari pemilik keluaran kepada pengilang kontrak (jika berkenaan)
- 4.5 Surat pengesahan penerimaan kontrak dari pengilang kontrak kepada pemilik keluaran (jika berkenaan)
- 4.6 Label, sisip bungkusan dan formula lengkap (yang terkini).
- 4.7 **Borang BPFK-001** – (Sila catit nombor deraf bank/wang pos/kiriman wang):
*Deraf bank/wang pos/kiriman wang **Fee pemprosesan** hendaklah dibuat atas nama 'Biro Pengawalan Farmaseutikal Kebangsaan'. **Sila pastikan tempoh sahlaku deraf bank/wang pos/kiriman wang sekurang-kurangnya 6 bulan dari tarikh permohonan.***

4.8 **Fee pemrosesan** adalah seperti berikut :-

(a)	<i>Keluaran Racun/Bukan Racun</i>	<i>RM 1000.00</i>
(b)	<i>Keluaran Tradisional</i>	<i>RM 500.00</i>
(c)	<i>Kosmetik</i>	<i>RM 100.00</i>

5. PERAKUAN PEMOHON

- 5.1 Saya yang bernama dan beralamat di bawah sebagai mewakili Syarikat yang memohon mengaku bahawa:
- 5.2 Saya akan mematuhi semua peruntukan-peruntukan dalam Akta Jualan Dadah 1952 (Disemak 1989) dan Peraturan-Peraturan Kawalan Dadah dan Kosmetik 1984 dan akan bertanggungjawab sepenuhnya terhadap keluaran ini.
- 5.3 Semua kenyataan-kenyataan di atas dan lampiran-lampiran yang disertakan adalah benar.
- 5.4 Saya mengaku akan mengemukakan dokumen-dokumen berkaitan dengan pendaftaran keluaran berkenaan apabila diperlukan.
- 5.5 Saya menyedari bahawa kegagalan atau keengganan saya mengemukakan maklumat yang diperlukan oleh PBKD berkenaan keluaran ini didalam masa yang telah ditetapkan boleh menyebabkan pendaftaran keluaran ini dibatalkan.

Tandatangan Pemohon : _____

Nama Penuh Pemohon (Huruf Besar) : _____

Nombor Kad Pengenalan : _____

Jawatan dalam Syarikat : _____

Cop Rasmi Syarikat :

No. Telefon : _____

No. Faks : _____

Tarikh : _____