
STATUTORY INSTRUMENTS

2012 No. 1916

The Human Medicines Regulations 2012

PART 14

Advertising

CHAPTER 2

Requirements relating to advertising

Offences

Offences

303.—(1) A person is guilty of an offence if that person commits a breach of a provision in this Chapter.

(2) A breach of a provision in this Chapter includes any—

- (a) contravention by any person of any prohibition in this Chapter; and
- (b) failure by any person to comply with any requirement or obligation in this Chapter.

(3) A person guilty of an offence under this regulation other than one to which paragraph (4) applies is liable—

- (a) on summary conviction to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment to a fine, to imprisonment for a term not exceeding two years or to both.

(4) This paragraph applies to an offence consisting of a breach of—

- (a) regulation 298(1) (free samples);
- (b) regulation 299(2) or (3) (medical sales representatives); or
- (c) regulation 300(4) (solicitation or acceptance of inducements or hospitality).

(5) A person guilty of an offence to which paragraph (4) applies is liable on summary conviction to a fine not exceeding level 5 on the standard scale.