GUIDELINE ON APPLICATION FOR A LICENCE TO MANUFACTURE / ASSEMBLE MEDICINAL PRODUCTS

Second Edition, October 2022

DEPARTMENT OF PHARMACEUTICAL SERVICES
MINISTRY OF HEALTH
BRUNEI DARUSSALAM

INTRODUCTION

1. All medicinal products manufactured, sold, supplied or imported into Brunei Darussalam are regulated under the Medicines Order, 2007 and its related regulations. Under Section 10 (1) of the Medicines Order, 2007 (Part III – Registration and Licensing), pharmaceutical importers, wholesalers and manufacturers must comply with the provisions under the Medicines Order and its regulations for the registration of medicinal products; and the person must hold the appropriate licence required and issued under this Order.

2. A **manufacturer's licence** is required with respect to the manufacture of medicinal products in Brunei Darussalam. Under the Medicines Order, 2007, 'manufacture' includes the following:
    a) The **making or assembling** of the product
    b) The **enclosing or packing of the product in any container in a form suitable for administration** or application, and the **labelling** of the container; and
    c) The carrying out of any process in the course of any of the foregoing activities.

    But does not include dissolving or dispersing the product in, or diluting or mixing it with, some substance used as a vehicle for the purpose of administering it.

3. **Primary Assembly** is defined as the repacking activity which places the finished product into a primary / immediate container which is labelled or to be labelled before the product is for sale and / or distribution whereas **secondary assembly** involves repacking activity relating to labelling of the product container; and / or packing the finished product which is already enclosed in its labelled primary container into a carton which is labelled or to be labelled before the product is for sale and / or distribution.

4. Under the Medicines Order, 2007, all manufacturing facilities of medicinal products located in Brunei Darussalam and engaged in the manufacture or assembly of medicinal products must hold the appropriate licence i.e. manufacturer's licence with the Brunei Darussalam Medicines Control Authority (BDMCA). A manufacturer's licence will only be issued once the manufacturing facility has been inspected and found to comply with the current international **Good Manufacturing Practice (GMP) standard** i.e. the Pharmaceutical Inspection Convention (PIC) / Pharmaceutical Inspection Co-operation Scheme (PIC/S) Guide to GMP for Medicinal Products as stipulated under Regulations 4b of the Fourth Schedule of Medicines (Licensing, Standard Provisions and Fees) Regulations, 2010.

5. The Manufacturer's Licence will authorise the licensee to manufacture the registered medicinal products in the premises specified in the licence and to sell by wholesale or supply the medicinal products.

6. Responsibilities of a manufacturer's licence holder are described in Appendix 1.

SCOPE

This guideline is intended to provide assistance in the submission of application for licence to manufacture / assemble medicinal products.

APPLICATION PROCEDURE

1. There are three types of application that can be made with to respect to a manufacturer's licence:
   a) New manufacturer's licence
   b) Renewal of manufacturer's licence
   c) Amendment of existing manufacturer's licence

2. Inspection of the manufacturing facilities will be conducted upon receiving application / request for an inspection by the applicant. Facilities found to comply with current GMP requirements during the pre-licensing inspection will be issued with a Manufacturer's Licence, approved as either a manufacturer, primary or secondary assembler for a listed pharmaceutical dosage form. These facilities will also be subjected to routine inspection thereafter.

3. GMP certificate will be issued upon request.

4. **NEW MANUFACTURER'S LICENCE**

   i) Who can apply

   Any company registered under the Registry of Companies and Business Names in Brunei Darussalam is eligible to apply. The applicant can either be the **existing import licence holder** or a **registered pharmacist** based in Brunei Darussalam authorised by the company.

   ii) When to apply

   - At least **3 months** prior to manufacturing of the medicinal product
   - At least **3 months** prior to secondary assembly of the medicinal product

   iii) How to apply

   Submission of completed Application Form for a Licence to Manufacture / Assemble Medicinal Products along with its supporting documents as listed below:

No.	Supporting Documents
1	Organization Chart
2	Site Master File
3	Validation Master Plan (*applicable for manufacturer only*)
4	Certificate of Accreditation of the contract testing laboratory, if any
5	List of manufacturing equipment available and their function, if applicable
6	List of quality control equipment available and function of each equipment, if applicable
7	List of the name and type (ie. dosage form) of product(s) manufactured / assembled
8	A copy of Company / Business Certificate of Registration (Sections 16 & 17)
9	A copy of Applicant's Identity Card
10	A copy of Importer / Wholesaler's Licence
11	A copy of Annual Pharmacist Retention Certificate, if applicable
12	Details of other products (non-medical) stored at the same premise, if applicable

5. **RENEWAL OF MANUFACTURER'S LICENCE**

i) Who can apply

A company with an existing manufacturer's licence may apply for renewal of its licence.

ii) When to apply

At least **3 months** before the licence is due for expiry.

iii) How to apply

Submission of completed Application Form for a Licence to Manufacture / Assemble Medicinal Products along with its supporting documents as listed below:

No.	Supporting Documents
1	A copy of Company / Business Certificate of Registration (Sections 16 & 17)
2	A copy of Applicant's Identity Card
3	A copy of Importer / Wholesaler's Licence
4	A copy of Annual Pharmacist's Retention Certificate, if applicable
5	A copy of previous manufacturer's licence

6. **AMENDMENT OF EXISTING MANUFACTURER'S LICENCE**

Please refer to Guideline on Application to Amend Manufacturer's Licence of Medicinal Products, 2nd Edition (October 2022).

APPLICATION FORM

Section 1: Instructions

Please refer to Section 1 for instructions on filing in the application form

Section 2: Checklist for Supporting Documents

The checklist on this section is to be filled in by the applicant. The list of supporting documents indicated is to be submitted together with the application form.

Section 3: Details of Application

Type(s) of Activity

This section requires the applicant to tick the relevant activity type. Applicant may tick more than one activity type.

Details of Previous Licence

This section is applicable for renewal applications only.

Types of Secondary Assembly Activity

This section is applicable for secondary assembly activities only. Applicant may tick more than one activity.

Section 4: Details of Company

The company named in this section should be based and registered in Brunei Darussalam. For every successful application for a licence to manufacture / assemble medicinal products, a manufacturer's licence will be issued in the name of the company.

Address of Store / Warehouse

Addresses of all the store / warehouse sites where the materials used for manufacturing and the products would be stored must be provided if they are different from the company address. The optimized warehouse temperature and relative humidity must also be provided under this section.

Address of Manufacturing / Assembly Site

This section requires the applicant to provide information on the manufacturing / assembly addresses of all the sites where the medicinal products would be manufactured or assembled.

Section 5: Details of Applicant

The person named in this section can either be the **existing import licence holder** or a **registered pharmacist** based in Brunei Darussalam authorised by the company and be contactable at all times. The company shall authorize /certify the applicant that he/she is an employee of the company under Section 9 of the application form. The Department of Pharmaceutical Services (DPS) will only liaise with this person pertaining to the application and inspection arrangements.

It should be noted that the applicant shall bear full responsibilities for ensuring that all available and relevant information submitted to support the application is true and complete.

Section 6: Details of Key Personnel / Responsible Person

A) Manufacturing Activities

This section requires the applicant to provide particulars of Head of Production / Assembly and Head of Quality Control.

B) Secondary Assembly Activities

The holder of a Manufacturer's Licence must appoint at least **two key personnel** / **responsible person** to be named on the licence. The duties of the key personnel / responsible person are specific and are intended to ensure that every batch of medicinal product has been manufactured and/or assembled and checked accordingly. The key personnel / responsible person has a personal responsibility for ensuring that the required tests and / or controls are carried out and must sign or certify, for each batch, that the appropriate tests and / or controls have been carried out and that it complies with product registration details. Candidates for appointment as key personnel / responsible person must meet **specific educational** and **training requirements.** The key personnel / responsible person must certify in a batch manufacturing record or equivalent document, as operations are carried out and before any release of the product is made.

Section 7: Details of Product

This section requires the applicant to provide information on the product type, product classification, class of medicinal product, dosage form (s) and activity the company is dealing with. All products manufactured at the facilities must be registered or notified with the Ministry of Health, Brunei Darussalam.

Section 8: Contract Testing Laboratories

This section is applicable only if the company is engaging a contract testing laboratory to conduct laboratory tests. Name and address of the contract testing laboratory and type of analytical test performed by the laboratory based on the contract must be provided. If the contract testing laboratory is accredited to any international quality system standards, a copy of the certificate of Accreditation must be provided.

Section 9: Declaration of Applicant

Application form must be declared and signed by the applicant.

Section 10: Certification by Company
This section must be filled in by the Company's Owner / Manager / Director

REQUREMENT WHEN AFFIXING / INKJETTING LABEL

Requirements when affixing / inkjetting label onto the primary / secondary packaging material are as follows:

- It is a mandatory requirement for both the outer carton and inner label to be redressed. However, if the product comes with a tamper evident seal, the outer carton label shall suffice.
- Information on label shall as much a possible be printed in letters not less than 1.5 millimetres in height and shall be clearly legible and appear conspicuously in a prominent position on the label so as to be easily read by an intending purchaser or user of the medicinal product under normal conditions of purchase or use.
- If recommended size is not possible due to small container or package of a medicinal product, the information may be printed in reduced size which is clearly legible.
- Label must not block any important information on the container or package.
- Label must be securely affixed onto the primary/secondary packaging material.
- All information present on the label must be printed using indelible ink. Label must be waterproof and smudge proof.
- Proper recording of the redressing activities must be maintained.

FEES

1. Fee for new application for a licence for:

a.	Manufacture of external or oral preparations	$500
b.	Manufacture of external and oral preparations	$1,000
c.	Primary assembly	$350
d.	Secondary assembly	$250

2. Fee for Licence for:

a.	The first year	No charge
b.	Each subsequent year for:	
	A manufacturer of external or oral preparations	$500
	A manufacturer of external and oral preparations	$1,000
	A primary assembler	$350
	A secondary assembler	$250

3. GMP certificate

a.	A statement of licensing status of a medicinal product	$25

4. Payment is made upon submission of application and can either be in the form of cheque made payable to the Government of Brunei Darussalam or cash and are **non-refundable**.

CRITERIA FOR LICENCE APPROVAL

1. Submission of completed application form and supporting documents.

2. Premises inspected comply with inspection requirements.

3. Applicant complies to all relevant provisions under the Medicines Order, 2007 and its related regulations as well as to all terms and conditions imposed by the Authority.

VALIDITY

1. A Manufacturer's Licence is valid for **one year** and is renewable annually.

2. A GMP Certificate is valid for a maximum of **three years** from the date of the approval of the inspection and cannot be renewed or amended. Upon expiry, the company will be required to submit a new application if they are still interested for the authority to re-issue the GMP certificate.

HOW TO OBTAIN APPLICATION FORMS

The Application Form for a Licence to Manufacture / Assemble Medicinal Products can be obtained from the following:

a) Ministry of Health's website at www.moh.gov.bn

b) Product Regulation Section,
2nd Floor, Department of Pharmaceutical Services,
Ministry of Health, Kampong Madaras,
Simpang 433, Lebuhraya Rimba,
Brunei Darussalam.
Tel: +673 2393301 Ext 225
Fax: +673 2393297

SUBMISSION OF APPLICATIONS

All applications either for a new or renewal of Application for a Licence to Manufacture / Assemble Medicinal Products with the respective supporting documents and fee (if applicable) must be submitted to:

Product Regulation Section,
2nd Floor, Department of Pharmaceutical Services,
Ministry of Health, Kampong Madaras,
Simpang 433, Lebuhraya Rimba,
Brunei Darussalam.
Tel: +673 2393301 Ext 225
Fax: +673 2393297

Appendix 1

RESPONSIBILITIES OF A MANUFACTURER'S LICENCE HOLDER

A **Manufacturer's Licence holder** must comply to the following requirements as per stipulated in *Regulation 2(d) of the Medicines (Licensing, Standard Provisions and Fees) Regulations, 2010* of the *Medicines Order, 2007*:

1) To report to the Authority of any change in his name and any address (business, store or correspondence) to which the licence relates;

2) To provide and maintain such staff, premises, equipment and plant in accordance with his licence and the relevant product licence;

3) To provide and maintain such staff, premises, equipment and facilities for the handling, storage and distribution of the medicinal products which he handles, stores or distributes under his licence to avoid deterioration of the medicinal products;

4) a) To conduct all manufacture and assembly operations in such a way to ensure that the medicinal products are of the correct identities and conform with the standards of strength, quality and purity applicable to them under the relevant product licence;

b) To comply with the Pharmaceutical Inspection Convention / Pharmaceutical Inspection Cooperation Scheme Guide to Good Manufacturing Practice for Medicinal Products, as revised or amended from time to time;

5) To carry out tests on the strength, quality or purity of the medicinal product to ensure that the standard of the medicinal product that he manufactures under his manufacturer's licence is complied with; or shall engage a testing laboratory that is approved by the Authority to carry out the tests;

6) To provide such information, as may be requested by the Authority in respect of the products currently being manufactured or assembled under his licence and of the operations being carried out in relation to such manufacture or assembly;

7) To notify the Authority in writing of any changes in the particulars to the name and address of the manufacturer, or of the person who imports the medicinal product, in cases where the manufacturer's licence relates to the assembly of a medicinal product and that medicinal product is not manufactured by the holder of the licence;

8) a) To inform the Authority before making any material alteration to the premises or plant used under his licence, in in the operations for which they are used;

b) To inform the Authority of any change that he proposes to make in any personnel named in this application form as respectively;

i) Responsible for supervising the production operations; or
ii) Responsible for quality control of the medicinal products being manufactured or assembled

9) a) To keep readily available for inspection, records of the details of manufacture and assembly of each batch of every medicinal product being manufactured or assembled under his licence;

b) To permit the person authorized by the Authority to take copies of or to make extracts from the record; such records shall not be destroyed without the consent of the Authority for a period of 2 years from the date when the manufacture or assembly of the relevant batch occurred.

10) To keep such records as will facilitate the withdrawal or recall from sale, supply or exportation of any medicinal products to which the licence relates;

11) To withdraw the sale, supply and exportation of medicinal products which are found to be unsafe, harmful or did not conform to specification and to withdraw the defective medicinal product immediately, if requested by the Authority;

12) To ensure that any tests for determining conformity with the standards and specifications applying to any particular medicinal product used in the manufacture shall be applied to samples taken from the medicinal product after all manufacturing processes have been completed, or at such earlier stage in the manufacture as may be approved by the Authority;

13) To inform the Authority within 7 days upon receipt of any report concerning adverse effects in one or more human beings or animals resulting from the use of any medicinal product to which the licence relates.

14) To return the original copy of the licence to the Authority within 7 days of the date on which the licence has been suspended or revoked.

15) To not use the licence for advertising purposes.

Note:

Please refer to the *Second Schedule (regulation 2 (d))* of the *Medicines (Licensing, Standard Provisions and Fees) Regulations, 2010* of the Medicines Order, 2007 for further information.