

立法會
Legislative Council

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**Subcommittee on the Dangerous Drugs Ordinance
(Amendment of First Schedule) (No. 2) Order 2000**

**Minutes of meeting
held on Friday, 8 December 2000 at 8:30 am
in Conference Room B of the Legislative Council Building**

- Members Present** : Hon CHEUNG Man-kwong (Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, SBS, JP
Hon Michael MAK Kwok-fung
Hon IP Kwok-him, JP
- Members Absent** : Hon LAW Chi-kwong, JP
Dr Hon LO Wing-lok
- Public Officers Attending** : Ms Mimi LEE
Principal Assistant Secretary for Security (Narcotics)
- Mr Anthony W K CHAN
Chief Pharmacist, Department of Health
- Clerk in Attendance** : Ms Doris CHAN
Chief Assistant Secretary (2) 4
- Staff in Attendance** : Miss Connie FUNG
Assistant Legal Adviser 3
- Miss Mary SO
Senior Assistant Secretary (2) 8
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I. Election of Chairman

Mr CHEUNG Man-kwong was elected chairman of the Subcommittee.

II. Meeting with the Administration

2. At the invitation of the Chairman, Principal Assistant Secretary for Security (Narcotics) (PAS(S)) briefed members on the reason for introducing the Dangerous Drugs Ordinance (Amendment of First Schedule)(No.2) Order 2000 (the Order) into the Legislative Council. PAS(S) said that although ketamine was marketed for use as a general anaesthetic in both human and veterinary medical practice, it had been used overseas and locally to facilitate rapes and sexual assaults by being mixed in drinks at parties. It was also reportedly used as an alternative to cocaine and had been gaining popularity rapidly as a party drug in Hong Kong. The number of reported abusers of ketamine in the first half of 2000 was 453, representing a twenty-fold increase compared with 21 reported abusers in the second half of 1999. Having regard to the nature of ketamine and the current drug abuse trend, the Administration proposed to include the drug in Part I of the First Schedule to the Dangerous Drugs Ordinance (Cap. 134) (the Ordinance) to tighten its control. PAS(S) further said that ketamine was currently controlled as a Part I poison under the Poisons List Regulations and a Third Schedule poison under the Pharmacy and Poisons Regulations. It could be sold, on a prescription given by a registered medical practitioner, registered dentist or registered veterinary surgeon, at pharmacies registered under the Pharmacy and Poisons Ordinance, and under the supervision of a registered pharmacist but a detailed register of supply and receipt transaction records was not required. With the proposed amendment, the level of control over ketamine would be the same as other dangerous drugs. The import and export of ketamine, like other dangerous drugs, would require a licence from the Director of Health. In addition, a detailed register of supply and receipt transaction records was required. The illicit trafficking, manufacture, supply or possession of ketamine would become an offence under the Ordinance. Any person who trafficked in or manufactured a dangerous drug was liable to a maximum penalty of a fine of \$5,000,000 and life imprisonment. The maximum penalty for possession of a dangerous drug was a fine of \$1,000,000 and imprisonment for seven years.

3. PAS(S) pointed out that at present there were only three wholesalers of ketamine in Hong Kong and one of them already had a wholesale licence to deal with dangerous drugs. The Administration had informed them in writing of the requirements under the Ordinance, including the need for a registered pharmacist to be responsible for all transactions and to maintain a detailed record of all transactions. Retailers and hospitals had also been advised of the same. In addition, the Department of Health (DH) was in the course of writing to some 6 000 registered medical practitioners and all the 357 pharmacies advising them of the proposed amendment, even though most of them did not use or sell the drug at present. In

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view of the need to tighten control of ketamine before the start of the festive season of Christmas and New Year when the number of parties was expected to increase, the Administration intended that the proposed amendment would take effect on 15 December 2000.

4. Mrs Selina CHOW informed members that she had discussed with the sector which was aware of the proposed amendment and had not raised any strong views. Mrs CHOW further said that as the proposed amendment would come into effect in a week's time, the Administration should step up publicity to draw the public's attention to the danger of ketamine abuse as well as the severe penalties under the Ordinance as soon as possible. The Chairman and Mr IP Kwok-him echoed Mrs CHOW's view.

5. PAS(S) assured members that wholesalers, retailers and the end-users of ketamine had been advised of the proposed amendment. For example, wholesalers of ketamine had been informed in writing about the proposed amendment prior to the gazettal of the proposed amendment. Following the gazettal of the same on 24 November 2000, not only had DH written/was in the course of writing to all registered medical practitioners and all pharmacies advising them of the proposed amendment, wholesalers of ketamine were also requested to advise their clients of the proposed amendment. A series of publicity campaigns had also been planned to draw the public's attention to the danger of ketamine abuse as well as the severe penalties under the Ordinance. In addition to issuing another press release on the subject before the Order came into effect, the Administration had printed posters as well as leaflets and postcards on ketamine which were now ready for display/distribution in high risk premises and venues.

6. Mr Michael MAK expressed concern about possible loopholes such as farms which might need to use ketamine on their animals. Chief Pharmacist, DH responded that the possibility of farms abusing ketamine should be minimal as the drug might only be prescribed by a registered veterinary surgeon who would assess the need of the farm and specify the quantity of the drug. To his knowledge, only one to two farms had purchased ketamine for use on their animals, having regard to the fact that the use of the drug on animals was best performed by registered veterinary surgeons. He envisaged that the number of farms purchasing ketamine for use on their animals would drop, following the implementation of the proposed amendment to tighten control of the drug. PAS(S) assured members that the regime under the Ordinance had worked well and if a dangerous drug was used for trafficking, the person concerned might receive a maximum fine of \$5,000,000 and life imprisonment.

7. Mrs Selina CHOW was of the view that in order to ensure effective control, all authorized wholesalers and retailers concerned should be required to report their stock of ketamine as at 15 December 2000. Members concurred with Mrs CHOW. PAS(S) agreed to consider the proposal in view of the small number of traders involved.

8. As the proposed amendment would take effect on 15 December 2000, members

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agreed that the Chairman of the Subcommittee should make a verbal report to the House Committee on 8 December 2000 recommending support of the proposed amendment.

III. Date of next meeting

9. There being no other business, the meeting ended at 9:40 am.

Legislative Council Secretariat

22 February 2001