

**立法會**  
***Legislative Council***

LC Paper No. LS34/01-02

**Paper for the House Committee Meeting  
of the Legislative Council  
on 7 December 2001**

**Legal Service Division Report on  
Motion under section 29 of the Pharmacy  
and Poisons Ordinance (Cap. 138)**

The Secretary for Health and Welfare has given notice to move a motion at the Council meeting on 19 December 2001. The motion seeks the Legislative Council to approve the Pharmacy and Poisons (Amendment) (No. 5) Regulation 2001 and the Poisons List (Amendment) (No. 4) Regulation 2001, both made by the Pharmacy and Poisons Board ("the Board") pursuant to section 29 of the Pharmacy and Poisons Ordinance (Cap. 138).

2. According to the draft speech of the Secretary for Health and Welfare, the Amendment Regulations seek to add 7 new medicines to Part I of the Poisons List, and the First and Third Schedules to the Pharmacy and Poisons Regulations. Their addition means that pharmaceutical products containing any of these 7 substances must be sold in pharmacies by or under the supervision of a registered pharmacist and in his presence, with the support of prescriptions given by a registered medical practitioner, registered dentist or registered veterinary surgeon.

3. In addition, one medicine is proposed to be added to Part I of the Poisons List only. As such, pharmaceutical products containing the added substance shall be sold in pharmacies by or under the supervision of a registered pharmacist and in his presence but prescriptions will not be required.

4. The Board considers that the proposed amendments necessary in view of the potency, toxicity and potential side-effects of the medicines concerned.

5. The relevant provisions shall come into operation on the day when the Amendment Regulations are published in the Gazette after being approved by the Legislative Council.

6. The two Amendment Regulations are in order from the legal point of view.

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