

立法會
Legislative Council

LC Paper No. LS1/06-07

**Paper for the House Committee Meeting
on 6 October 2006**

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

The Secretary for Health, Welfare and Food (the Secretary) has given notice to move a motion at the Council meeting on 18 October 2006. The motion seeks the Legislative Council's approval of the Pharmacy and Poisons (Amendment) (No. 4) Regulation 2006 and the Poisons List (Amendment) (No. 4) Regulation 2006 (collectively "the Amendment Regulations"), both made by the Pharmacy and Poisons Board (the Board) on 25 September 2006 pursuant to section 29 of the Pharmacy and Poisons Ordinance (Cap. 138).

2. According to the draft speech of the Secretary, the Amendment Regulations seek to add 7 new medicines, i.e. Alefacept, Human papillomavirus vaccines, Dexrazoxane and its salts, Ibritumomab tiuxetan, Pegfilgrastim, Poractant alfa, and Thyrotropin alfa to the First and Third Schedules to the Pharmacy and Poisons Regulations (Cap. 138 sub. leg. A) and Part I of the Schedule to the Poisons List Regulations (Cap. 138 sub. leg. B) respectively under heading 'A'.

3. The Secretary has provided, in addition to his draft speech, supplementary information on the 7 new medicines. Their addition means that pharmaceutical products containing any of these 7 substances must be sold with the support of prescriptions in pharmacies in the presence and under the supervision of registered pharmacists.

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

5. The Amendment Regulations are to come into operation on the day of their publication in the Gazette after having been approved by the Legislative Council. The Secretary has proposed 20 October 2006 as the date of their gazettal.

6. Neither the public nor the Panel on Health Services has been consulted on the Amendment Regulations.

7. No difficulties relating to the legal and drafting aspects of the Amendment Regulations have been identified.

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3 October 2006

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