

立法會
Legislative Council

LC Paper No. LS20/07-08

**Paper for the House Committee Meeting
on 7 December 2007**

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

The Secretary for Food and Health (the Secretary) has given notice to move a motion at the Council meeting on 19 December 2007. The motion seeks the Legislative Council's approval of the Pharmacy and Poisons (Amendment) (No. 5) Regulation 2007 and the Poisons List (Amendment) (No. 5) Regulation 2007 (collectively referred to as the Amendment Regulations), both made by the Pharmacy and Poisons Board (the Board) on 22 November 2007 pursuant to section 29 of the Pharmacy and Poisons Ordinance (Cap. 138).

2. The Amendment Regulations seek to add four substances, i.e. Diacerein and its salts and its esters, Exenatide, Lapatinib and its salts and Paliperidone and its salts to Division A in both the First and Third Schedules to the Pharmacy and Poisons Regulations (Cap. 138 sub. leg. A) and to Division A of Part I of the Schedule to the Poisons List Regulations (Cap. 138 sub. leg. B) respectively.
3. The Secretary has provided, in addition to his draft speech, supplementary information on the four substances. The addition of these substances means that pharmaceutical products containing any of them must be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the support of prescriptions.
4. The Board considers the proposed amendments necessary in view of the potency, toxicity and potential side effects of the medicines.
5. The Amendment Regulations will come into operation on the day of their publication in the Gazette after having been approved by the Legislative Council. The Secretary has proposed 21 December 2007 for gazettal.
6. The Panel on Health Services has not been consulted on the Amendment Regulations.

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

Prepared by

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