

# LEGISLATIVE COUNCIL BRIEF

## Dangerous Drugs Ordinance (Chapter 134)

### DANGEROUS DRUGS ORDINANCE (AMENDMENT OF SECOND SCHEDULE) ORDER 2015

#### INTRODUCTION

On 4 December 2015, the Secretary for Security, under section 50(2) of the Dangerous Drugs Ordinance (Cap. 134) (the “Ordinance”), made the Dangerous Drugs Ordinance (Amendment of Second Schedule) Order 2015 (**Annex A**) (the “Order”).

#### JUSTIFICATIONS

2. Under section 22(1)(e) and (f) of the Ordinance, a registered pharmacist or an approved person, employed or engaged at a prescribed hospital and whose duties in that employment or engagement include the dispensing or supply of medicines; and a sister<sup>1</sup> for the time being in charge of a ward, theatre or other department in a prescribed hospital, may possess and supply dangerous drugs so far as it is necessary for the practice or exercise of their profession, function or employment. Moreover, under section 22(2) of the Ordinance, a matron of a prescribed hospital may possess and supply a dangerous drug for the purposes of the hospital and in her capacity as matron thereof. A prescribed hospital is defined in section 2 of the Ordinance to mean, inter alia, a hospital or institution specified in the Second Schedule to the Ordinance.

3. Nine new institutions as listed in **Annex B** have come into operation. For effective symptomatic control and medical management in the institutions, it is essential to include these institutions in the Second Schedule so that the said registered pharmacists, approved persons, sisters and matrons working in the above institutions may possess and supply dangerous drugs under the Ordinance.

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<sup>1</sup> “Sister” is defined in section 2 of the Ordinance to include “any person performing the duties of a nursing sister and any person, whatever the title of the office which he / she holds, performing duties of the kind performed by a nursing sister.”

4. The opportunity is also taken to update the names of four hospitals and four institutions in the Second Schedule and delete three institutions due to their closure. Changes are shown in **Annexes C and D** respectively.

## **THE ORDER**

5. The Order at **Annex A** seeks to –
- (a) add nine institutions to the Second Schedule to the Ordinance;
  - (b) update the names of four hospitals and four institutions in the Second Schedule to the Ordinance; and
  - (c) delete three institutions from the Second Schedule to the Ordinance.

## **LEGISLATIVE TIMETABLE**

6. The legislative timetable will be –

Publication in the Gazette	11 Dec 2015
Tabling for negative vetting	16 Dec 2015
Effective date	5 Feb 2016

## **IMPLICATIONS OF THE PROPOSAL**

7. The amendment is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. It has no economic, productivity, environmental, sustainability, family, gender or civil service implications. The financial implications arising are negligible which will be absorbed by relevant bureaux and departments.

## **PUBLIC CONSULTATION**

8. We consulted the relevant authorities concerned and obtained their consent to be included in this legislative amendment exercise.

## **PUBLICITY**

9. A spokesperson will be available for answering media enquiries.

## **ENQUIRIES**

10. Any enquiries on this brief can be addressed to Mr Jack CHAN, Assistant Secretary for Security (Narcotics)<sup>2</sup> (telephone: 2867 2752, facsimile: 2810 1790).

Narcotics Division  
Security Bureau  
9 December 2015

## Dangerous Drugs Ordinance (Amendment of Second Schedule) Order 2015

(Made by the Secretary for Security under section 50(2) of the Dangerous Drugs Ordinance (Cap. 134))

### 1. Commencement

This Order comes into operation on 5 February 2016.

### 2. Dangerous Drugs Ordinance amended

The Dangerous Drugs Ordinance (Cap. 134) is amended as set out in section 3.

### 3. Second Schedule amended (prescribed hospitals and institutions, other than hospitals maintained by the Government and military hospitals)

#### (1) Second Schedule—

##### Repeal

“Hong Kong Adventist Hospital (香港港安醫院)”

##### Substitute

“Hong Kong Adventist Hospital—Stubbs Road (香港港安醫院 — 司徒拔道)”.

#### (2) Second Schedule—

##### Repeal

“Hong Kong Sanatorium & Hospital, Limited (香港養和醫院有限公司)”

##### Substitute

“Hong Kong Sanatorium & Hospital Limited (香港養和醫院有限公司)”.

#### (3) Second Schedule—

##### Repeal

“Lions Kidney Educational Centre and Research Foundation Renal Dialysis Centre (國際獅子會腎病教育中心及研究基金洗腎中心)”

##### Substitute

“Lions Kidney Educational Centre and Research Foundation —Chinachem Group Renal Dialysis Centre (國際獅子會腎病教育中心及研究基金 — 華懋集團洗腎中心)”.

#### (4) Second Schedule—

##### Repeal

“Po Leung Kuk Kwai Chung Home for the Elderly (保良局葵涌護老院)”

##### Substitute

“Po Leung Kuk Fuk Wai Home for the Elderly (保良局福慧護老院)”.

#### (5) Second Schedule—

##### (a) Repeal

“Shatin International Medical Centre Union Hospital (沙田國際醫務中心仁安醫院)”;

##### (b) Add in alphabetical order

“Union Hospital (仁安醫院)”.

#### (6) Second Schedule—

##### Repeal

“Sheung Shui Sister Aquinas Memorial Women’s Treatment Centre (上水區貴雅修女紀念婦女康復中心)”


##### Substitute

- “Sister Aquinas Memorial Women’s Treatment Centre (區貴雅修女紀念婦女康復中心)”.
- (7) Second Schedule—
- (a) **Repeal**
- “Tsuen Wan Adventist Hospital (荃灣港安醫院)”;
- (b) **Add in alphabetical order**
- “Hong Kong Adventist Hospital—Tsuen Wan (香港港安醫院 — 荃灣)”.
- (8) Second Schedule—
- Repeal**
- “Tung Wah Group of Hospitals Willow Lodge (東華三院翠柳頤庭)”
- Substitute**
- “Tung Wah Group of Hospitals Ho Yuk Ching Willow Lodge (東華三院何玉清翠柳頤庭)”.
- (9) Second Schedule—
- Repeal**
- “Haven of Hope Holistic Care Centre (靈實寧養院)”.
- (10) Second Schedule—
- Repeal**
- “Haven of Hope Sister Annie Skau Nursing Home (靈實司務道護養院)”.
- (11) Second Schedule—
- Repeal**
- “Hong Kong Renal Centre Limited (香港洗腎中心有限公司)”.
- (12) Second Schedule—

**Add in alphabetical order**

- “Haven of Hope Sister Annie Skau Holistic Care Centre (靈實司務道寧養院)
- Hong Kong Baptist Mr. & Mrs. Au Shue Hung Rehabilitation and Healthcare Home Limited (香港浸信會區樹洪伉儷康復護養院有限公司)
- Lok Sin Tong Hoi Wang Road Nursing Home (樂善堂海泓道護養院)
- MFBM Elderly Home (妙法寺護老院)
- Po Leung Kuk Sai Ying Pun Home for the Elderly cum Day Care Centre (保良局西營盤護老院暨長者日間護理中心)
- The Methodist Church, Hong Kong Yang Memorial Methodist Social Service Sham Shui Po Nursing Home cum Day Care Service (香港基督教循道衛理聯合教會循道衛理楊震社會服務處深水埗護養院暨日間護理服務)
- Tung Wah Group of Hospitals Lo Wong Yuk Man Nursing Home cum Day Care Centre (東華三院羅王玉文護養院暨日間中心)
- Tung Wah Group of Hospitals Pearl Lodge (東華三院灣玥頤庭)
- Yan Chai Hospital Lobo Law Foundation Renal Dialysis Center (仁濟醫院羅家寶基金會洗腎中心)”.

24<sup>th</sup> December  
2015



Secretary for Security

**Explanatory Note**

This Order amends the Second Schedule to the Dangerous Drugs Ordinance (Cap. 134) to—

- (a) update the names of 4 hospitals and 4 institutions in the list of prescribed hospitals and institutions (*the list*) (see section 3(1) to (8));
- (b) delete 3 institutions from the list (see section 3(9) to (11)); and
- (c) add 9 institutions to the list (see section 3(12)).

**New Institutions to be Included in the  
Second Schedule to the Dangerous Drugs Ordinance (Cap. 134)**

**Names of the Institutions**

Haven of Hope Sister Annie Skau Holistic Care Centre (靈實司務道寧養院)

Hong Kong Baptist Mr. & Mrs. Au Shue Hung Rehabilitation and Healthcare Home Limited (香港浸信會區樹洪伉儷康復護養院有限公司)

Lok Sin Tong Hoi Wang Road Nursing Home (樂善堂海泓道護養院)

MFBM Elderly Home (妙法寺護老院)

Po Leung Kuk Sai Ying Pun Home for the Elderly cum Day Care Centre (保良局西營盤護老院暨長者日間護理中心)

The Methodist Church, Hong Kong Yang Memorial Methodist Social Service Sham Shui Po Nursing Home cum Day Care Service (香港基督教循道衛理聯合教會循道衛理楊震社會服務處深水埗護養院暨日間護理服務)

Tung Wah Group of Hospitals Lo Wong Yuk Man Nursing Home cum Day Care Centre (東華三院羅王玉文護養院暨日間中心)

Tung Wah Group of Hospitals Pearl Lodge (東華三院灣玥頤庭)

Yan Chai Hospital Lobo Law Foundation Renal Dialysis Center (仁濟醫院羅家寶基金會洗腎中心)

**Changes to the Names of Four Hospitals and Four Institutions  
in the Second Schedule to the Dangerous Drugs Ordinance (Cap. 134)**

**Original Names**

**Updated Names**

Hong Kong Adventist Hospital  
(香港港安醫院)

Hong Kong Adventist Hospital –  
Stubbs Road  
(香港港安醫院 – 司徒拔道)

Hong Kong Sanatorium & Hospital,  
Limited  
(香港養和醫院有限公司)

Hong Kong Sanatorium & Hospital  
Limited  
(香港養和醫院有限公司)

Lions Kidney Educational Centre and  
Research Foundation Renal Dialysis  
Centre  
(國際獅子會腎病教育中心及研究  
基金洗腎中心)

Lions Kidney Educational Centre and  
Research Foundation – Chinachem  
Group Renal Dialysis Centre  
(國際獅子會腎病教育中心及研究基  
金 – 華懋集團洗腎中心)

Po Leung Kuk Kwai Chung Home for  
the Elderly  
(保良局葵涌護老院)

Po Leung Kuk Fuk Wai Home for the  
Elderly  
(保良局福慧護老院)

Shatin International Medical Centre  
Union Hospital  
(沙田國際醫務中心仁安醫院)

Union Hospital  
(仁安醫院)



**Original Names**

Sheung Shui Sister Aquinas  
Memorial Women's Treatment  
Centre  
(上水區貴雅修女紀念婦女康復中  
心)

Tsuen Wan Adventist Hospital  
(荃灣港安醫院)

Tung Wah Group of Hospitals Willow  
Lodge  
(東華三院翠柳頤庭)

**Updated Names**

Sister Aquinas Memorial Women's  
Treatment Centre  
(區貴雅修女紀念婦女康復中心)

Hong Kong Adventist Hospital – Tsuen  
Wan  
(香港港安醫院 – 荃灣)

Tung Wah Group of Hospitals Ho Yuk  
Ching Willow Lodge  
(東華三院何玉清翠柳頤庭)

**Institutions to be Deleted from the  
Second Schedule to the Dangerous Drugs Ordinance (Cap. 134)**

**Names of the Institutions**

Haven of Hope Holistic Care Centre (靈實寧養院)

Haven of Hope Sister Annie Skau Nursing Home (靈實司務道護養院)

Hong Kong Renal Centre Limited (香港洗腎中心有限公司)