

立法會
Legislative Council

LC Paper No. LS61/99-00

**Paper for the House Committee Meeting of the
Legislative Council
on 14 January 2000**

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

The Secretary for Health and Welfare has given notice to move the above resolution at the Legislative Council meeting on 26 January 2000. The motion seeks this Council to approve the Pharmacy and Poisons (Amendment) Regulation 2000 and Poisons List (Amendment) Regulation 2000, 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 12 medicines to Part I of the Poisons List, and the First and Third Schedules to the Pharmacy and Poisons Regulations so 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. The relevant provisions on these 12 medicines shall come into operation on the date when it is published in the Gazette.

3. The Board also proposes to upgrade the control of the antisera, antitoxins, immunoglobulins and vaccines directed against various diseases or organisms by adding them to Part I of the Poisons List and the First and Third Schedules to the Pharmacy and Poisons Regulations so that they must be sold in pharmacies under the supervision of registered pharmacists and in their presence, with the authority of prescriptions. The relevant provisions shall come into operation on 1 April 2000.

4. In addition, the Board proposes to relax the control of Aciclorir and its salts when they are contained in cold sore treatment creams of not more than 3 grams in package size. Recent scientific evidence shows that this medicine is safe for use without medical supervision. The public may purchase this medicine from a pharmacy without a prescription. The provision relaxing the control of Aciclorir shall come into operation on the date when it is published in the Gazette.

5. The motion and the two Amendment Regulations are in order from the legal point of view.

Prepared by
Ho Ying-chu, Anita
Assistant Legal Adviser
Legislative Council Secretariat
12 January 2000