

立法會
Legislative Council

LC Paper No. LS66/02-03

**Paper for the House Committee Meeting
on 7 March 2003**

**Legal Service Division Report on
Motion 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 19 March 2003. The motion seeks the Legislative Council to approve the Pharmacy and Poisons (Amendment) Regulation 2003 and the Poisons List (Amendment) Regulation 2003, 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, the two Amendment Regulations seek to add 3 new drugs/medicines, i.e. Drotrecogin alfa, Thymosin alpha 1 and Tegaserod and its salts to part A of the First and Third Schedules to the Pharmacy and Poisons Regulations and part A of Part I of the Poisons List. The Secretary has provided some supplementary information on these 3 new drugs/medicines which is attached for Members' reference (see Annex). Their addition means that pharmaceutical products containing any of these 3 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. The Board considers that the proposed amendments necessary in view of the potency, toxicity and potential side-effects of the medicines concerned.
4. The two Amendment Regulations shall come into operation on the day when they are published in the Gazette after being approved by the Legislative Council.
5. The two Amendment Regulations are in order from the legal point of view.

Encl

Prepared by

LAI Shun-wo, Monna
Assistant Legal Adviser
Legislative Council Secretariat
3 March 2003

Poisons List (Amendment) Regulation 2003

Pharmacy and Poisons (Amendment) Regulation 2003

Supplementary Information to the Legislative Council

《 2003年毒藥表（修訂）規例 》
《 2003年藥劑業及毒藥（修訂）規例 》
提交立法會的補充資料

Drug Name 藥名	Proposed Classification 建議類別	Reason 原因
Drotrecogin alfa	Part I, First and Third Schedules poison 第一部附表一及附表三 毒藥	This drug is used for the treatment of adult patients with severe sepsis who have a high risk of death. A medical decision is required for the use of this medicine. 此藥用於治療有高度死亡風險之成年敗血病病人。選用此藥需經醫生決定。

Drug Name 藥名	Proposed Classification 建議類別	Reason 原因
Tegaserod 替加色羅	Part I, First and Third Schedules poison 第一部附表一及附表三 毒藥	<p>This drug is used for the treatment of constipation-predominant irritable bowel syndrome in female patients. This drug should only be used when the need is established by a medical diagnosis.</p> <p>此藥用於治療女性以便秘為主徵之應激性腸綜合徵。此藥應經醫生診斷有需要時才用。</p>
Thymosin alpha 1 胸腺月太 α 1	Part I, First and Third Schedules poison 第一部附表一及附表三 毒藥	<p>This medicine is used to augment the effect of influenza and hepatitis B vaccination given to patients with impaired immunity. This drug should only be used when the need is established by a medical diagnosis.</p> <p>此藥用於免疫系統功能不全的病人注射感冒及肝炎預防疫苗時之佐劑，以加強其效力。需經醫生清楚診斷有需要時，才應使用此藥物。</p>