

立法會
Legislative Council

LC Paper No. LS24/02-03

**Paper for the House Committee Meeting
on 6 December 2002**

**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 has given notice to move a motion at the Legislative Council meeting to be held on 18 December 2002. The motion seeks the Legislative Council to approve the Pharmacy and Poisons (Amendment) (No. 5) Regulation 2002 and the Poisons List (Amendment) (No. 5) Regulation 2002 ("the Amendment Regulations"). The two Amendment Regulations are made by the Pharmacy and Poisons Board ("the Board").

2. The Board proposes to add a new substance, Sertaconazole and its salts, to Part I of the Poisons List. This means that pharmaceutical products containing this substance must be sold in pharmacies under the supervision of registered pharmacists. The Board also proposes to add three new substances, i.e. Infliximab, Tiotropium and its salts, and Trastuzumab, to Part I of the Poisons List, and the First and Third Schedules to the Pharmacy and Poisons Regulations. This 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 from a registered medical practitioner, a registered dentist or a registered veterinary surgeon. Members may refer to the supplementary information on these substances annexed to the draft speech by the Secretary for details.

3. The two Amendment regulations will come into operation on the day they are published in the Gazette after being approved by the Legislative Council.

4. The two Amendment Regulations are in order from the legal and drafting point of view.

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