

立法會
Legislative Council

LC Paper No. LS58/03-04

**Paper for the House Committee Meeting
on 16 April 2004**

**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 ("the Secretary") has given notice to move a motion at the Legislative Council meeting on 28 April 2004. The motion seeks the Legislative Council's approval of the Pharmacy and Poisons (Amendment) Regulation 2004 and the Poisons List (Amendment) Regulation 2004 ("the Amendment Regulations").

2. The Amendment Regulations add a new substance, i.e. Teriparatide and its salts, to part A of Part I of the Poisons List of the Poisons List Regulations (Cap. 138 sub. leg. B) and the part A of the First and Third Schedules to the Pharmacy and Poisons Regulation (Cap. 138 sub. leg. A). According to the Supplementary Information to the Legislative Council annexed to the draft speech by the Secretary, the new drug is used for the treatment of osteoporosis in postmenopausal women. It should only be used when its need is established by medical diagnosis. The addition of the new drug into the Amendment Regulations means that pharmaceutical products containing the substance must be sold in a pharmacy under the supervision of a registered pharmacist and in his presence, with the support of prescriptions.

3. The two Amendment Regulations are made by the Pharmacy and Poisons Board on 8 March 2004. They will come into operation on the day they are published in the Gazette after being approved by the Legislative Council.

4. The Panel on Health Services has not been consulted on the Amendment Regulations.

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

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