

立法會
Legislative Council

LC Paper No. LS60/12-13

**Paper for the House Committee Meeting
on 14 June 2013**

**Legal Service Division Report on
Subsidiary Legislation Gazetted on 7 June 2013**

Date of tabling in LegCo : 19 June 2013

Amendment to be made by : 17 July 2013 (or the 1st meeting of the next session if extended by resolution)

Dangerous Drugs Ordinance (Cap. 134)
Dangerous Drugs Ordinance (Amendment of Second Schedule) Order 2013
(L.N. 101)

L.N. 101 is made by the Secretary for Security under section 50(2) of the Dangerous Drugs Ordinance (Cap. 134) (DDO) to amend the list of hospitals and institutions (known as prescribed hospitals) as specified in the Second Schedule to the DDO by-

- (a) adding the North Lantau Hospital and 8 institutions, which are mainly nursing or elderly homes, to the Schedule;
- (b) removing Hong Kong Central Hospital from the Schedule due to its closure; and
- (c) updating the name of Yan Chai Hospital Au Yeung Sum Memorial Elderly Home Cum Day Care Unit to Evergreen (Tsz Ching) Nursing Home Cum Day Care Centre.

2. Under section 22(1)(e) and (f) of the DDO, a registered pharmacist or an approved person who is employed or engaged at a prescribed hospital and whose duties include the dispensing or supply of medicines for such a hospital, or a sister in charge of a ward, theatre or other department in a prescribed hospital, may, subject to other provisions of the DDO, possess and supply dangerous drugs so far as it is necessary for the practice or exercise of his or her profession, function or employment.

3. According to the LegCo Brief (with no file reference) issued by the Security Bureau dated 4 June 2013, the above amendments are proposed for the effective symptomatic control and medical management in the hospital and institutions concerned. Members may wish to refer to the LegCo Brief for further information.
4. According to the Clerk to the Panel on Health Services and the Clerk to Panel on Security, the Panels have not been consulted on the Order.
5. L.N. 101 will come into operation on 22 July 2013.

Hospital Authority Ordinance (Cap. 113)

Hospital Authority Ordinance (Amendment of Schedule 1) Order 2013 (L.N. 102)

6. L.N. 102 is made by the Chief Executive under section 20 of the Hospital Authority Ordinance (Cap. 113) (HAO) to amend Schedule 1 to the HAO by adding the North Lantau Hospital to the Schedule. The effect of L.N. 102 is that the management and control of the new hospital will be vested in the Hospital Authority (HA) under an agreement with the Government.
7. According to the LegCo Brief (with no file reference) issued by the Food and Health Bureau in June 2013, the Administration considers that the proposal is procedural in nature and hence public consultation is not necessary. HA also briefed the Islands District Council in April 2008 on the construction of the North Lantau Hospital.
8. According to the Clerk to the Panel on Health Services, the Administration has not consulted the Panel on the Order.
9. L.N. 102 will come into operation on 22 July 2013.
10. No difficulties have been identified in the legal and drafting aspects of the above items of subsidiary legislation.

Prepared by

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