

立法會
Legislative Council

LC Paper No. CB(2)953/14-15
(These minutes have been
seen by the Administration)

Ref : CB2/BC/4/13

Bills Committee on Pharmacy and Poisons (Amendment) Bill 2014

Minutes of the ninth meeting
held on Tuesday, 16 December 2014, at 8:30 am
in Conference Room 2 of the Legislative Council Complex

Members present : Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN (Chairman)
Hon LEUNG Yiu-chung
Hon Vincent FANG Kang, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Alan LEONG Kah-kit, SC
Hon CHAN Han-pan, JP
Dr Hon KWOK Ka-ki
Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Hon Emily LAU Wai-hing, JP
Hon WONG Ting-kwong, SBS, JP
Dr Hon LEUNG Ka-lau
Hon CHEUNG Kwok-che
Hon LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
Hon WONG Yuk-man
Hon Claudia MO
Hon Alice MAK Mei-kuen, JP
Dr Hon Elizabeth QUAT, JP

Public Officers attending : Item I
Miss Janice TSE, JP
Deputy Secretary for Food and Health (Health) 1
Food and Health Bureau

Miss Fiona CHAU
Principal Assistant Secretary for Food and Health (Health) 1
Food and Health Bureau

Ms Linda WOO
Assistant Director of Health (Drug)
Department of Health

Mr Lot CHAN
Chief Pharmacist (1)
Department of Health

Mr Edwin LAM
Senior Pharmacist (Manufacturing Quality Assurance)
Department of Health

Miss Amy CHAN
Senior Assistant Law Draftsman (Acting)
Department of Justice

Ms Carmen CHAN
Senior Government Counsel (Acting)
Department of Justice

Clerk in attendance : Ms Maisie LAM
Chief Council Secretary (2) 5

Staff in attendance : Ms Wendy KAN
Assistant Legal Adviser 6

Ms Priscilla LAU
Council Secretary (2) 5

Ms Michelle LEE
Legislative Assistant (2) 5

Action

I. Meeting with the Administration

[LC Paper Nos. CB(2)1344/13-14(02), CB(2)1735/13-14(03), CB(2)1810/13-14(02), CB(2)415/14-15(01), CB(2)430/14-15(01) and CB(3)511/13-14]

The Bills Committee deliberated (index of proceedings attached at **Annex**).

Committee Stage amendments to the Bill proposed by the Administration

2. The Bills Committee completed scrutiny of the draft Committee Stage amendments ("CSAs") to the Bill to be proposed by the Administration, and did not raise objection to the proposed amendments.

Legislative timetable

3. The Bills Committee noted the Administration's intention to resume the Second Reading debate on the Bill at the Council meeting of 21 January 2015 and no members raised objection. Members noted that the deadline for giving notice of moving CSAs to the Bill, if any, was 12 January 2015.

4. Members agreed that the Bills Committee would report its deliberations to the House Committee at its meeting on 9 January 2015.

Commencement of the Bill

5. Members noted that apart from the proposed amendments to section 27 of the Pharmacy and Poisons Ordinance (Cap. 138) and regulation 15 of the Pharmacy and Poisons Regulations (Cap. 138A), the Administration's intention was to appoint, by notice in the Gazette, 30 January 2015 as the commencement date of the rest of the provisions of the Bill, if passed. The notice would be a subsidiary legislation subject to negative vetting of the Legislative Council.

II. Any other business

6. There being no other business, the meeting ended at 9:16 am.

**Proceedings of the ninth meeting of
the Bills Committee on Pharmacy and Poisons (Amendment) Bill 2014
held on Tuesday, 16 December 2014, at 8:30 am
in Conference Room 2 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)/Discussion	Action required
<i>Agenda item I: Meeting with the Administration</i>			
000000 - 001742	Chairman	Opening remarks by the Chairman	
001743 - 003916	Chairman Admin	<p>Briefing by the Administration on the latest draft Committee Stage amendments ("CSAs") to the Bill to be proposed by the Administration as set out in Annex II to LC Paper No. CB(2)430/14-15(01), and its elaboration on -</p> <p>(a) the proposed draft CSA to clause 20(7) of the Bill which sought to amend the proposed revised section 25(5) of the Pharmacy and Poisons Ordinance (Cap. 138) ("the Ordinance") so as to allow a person who was aggrieved by a decision of the Pharmacy and Poisons Board ("PPB") under the proposed new section 25(3B) of the Ordinance to appeal against such decision; and</p> <p>(b) the proposed draft CSA to clause 55 of the Bill which sought to amend the proposed revised regulation 33 of the Pharmacy and Poisons Regulations (Cap. 138A) to provide certain flexibility for manufacturers in maintaining sample of finished products.</p>	
003917 - 004422	Chairman Dr KWOK Ka-ki Admin	<p>Dr KWOK Ka-ki's enquiry about -</p> <p>(a) the reason for not expressly specifying under the proposed revised clause 7 of the Bill, which sought to amend section 5(2) of the Ordinance to require the Secretary to PPB ("the Secretary") to make the register of pharmacists available for inspection by the public free of charge in any manner the Secretary thought fit (apart from making the register available at the Secretary's office during normal office hours), that the register would be made available for public inspection via the Internet; and</p> <p>(b) whether consideration could be given to introducing legislative amendments to other relevant ordinances requiring the registers of other healthcare professionals be made available for online inspection.</p> <p>The Administration's advice that -</p> <p>(a) while online inspection would certainly be one of the manners the Secretary thought fit, the current drafting of the proposed CSA provided greater flexibility to cater for making the register available for public inspection through other means, such as mobile phone applications, in view</p>	

Time marker	Speaker	Subject(s)/Discussion	Action required
		of future advancement in technology; and (b) amendments to introduce similar provisions in other ordinances governing other healthcare professionals would be considered and dealt with, where appropriate, in the context of future legislative amendment exercises, if any, covering these ordinances.	
004423 - 004520	Chairman Admin	Completion of scrutiny of the Bill	
004521 - 004701	Chairman	Legislative timetable Commencement of the Bill, if passed	
<i>Agenda item II: Any other business</i>			
004702 - 004730	Chairman	Closing remarks	

Council Business Division 2
Legislative Council Secretariat
3 March 2015