

# LEGISLATIVE COUNCIL BRIEF

## Dangerous Drugs Ordinance (Chapter 134)

### DANGEROUS DRUGS ORDINANCE (AMENDMENT OF SECOND SCHEDULE) ORDER 2018

#### INTRODUCTION

On 12 February 2018, the Secretary for Security, under section 50(2) of the Dangerous Drugs Ordinance (Cap. 134) (the “Ordinance”), made the Dangerous Drugs Ordinance (Amendment of Second Schedule) Order 2018 (**Annex A**) (the “Order”).

#### JUSTIFICATIONS

2. Under section 22(1)(e) and (f) of the Ordinance, a registered pharmacist or an approved person employed or engaged at a prescribed hospital and whose duties in that employment or engagement include the dispensing or supply of medicines; and a sister<sup>1</sup> for the time being in charge of a ward, theatre or other department in a prescribed hospital may possess and supply dangerous drugs so far as may be necessary for the practice or exercise of their profession, function or employment and in their capacity as such. Moreover, under section 22(2) of the Ordinance, a matron of a prescribed hospital may possess and supply dangerous drugs for the purposes of the hospital and in her capacity as a matron thereof. A prescribed hospital is defined in section 2 of the Ordinance to mean, inter alia, a hospital or institution specified in the Second Schedule to the Ordinance.

3. One hospital and one institution as listed in **Annex B** will and have come into operation respectively. For effective symptomatic control and medical management in the hospital and the institution, it is essential to include them in the Second Schedule so that the said registered pharmacists, approved persons, sisters and matrons working therein may possess and supply dangerous drugs under the Ordinance.

---

<sup>1</sup> “Sister” is defined in section 2 of the Ordinance to include “any person performing the duties of a nursing sister and any person, whatever the title of the office which he holds, performing duties of the kind performed by a nursing sister.”

## **THE ORDER**

4. The Order at **Annex A** seeks to add one hospital and one institution to the Second Schedule to the Ordinance.

## **LEGISLATIVE TIMETABLE**

5. The legislative timetable will be –

Gazettal of the Order	23 February 2018
Tabling at the Legislative Council for negative vetting	28 February 2018
Commencement date of the Order	30 April 2018

## **IMPLICATIONS OF THE PROPOSAL**

6. The amendment is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. It has no economic, productivity, environmental, sustainability, family, gender or civil service implications. The financial implications arising are negligible which will be absorbed by relevant bureaux and departments.

## **PUBLIC CONSULTATION**

7. We consulted the authorities concerned and obtained their consent to be included in this legislative amendment exercise.

## **PUBLICITY**

8. A spokesperson will be available for answering media and public enquiries.

**ENQUIRIES**

9. Any enquiries on this brief can be addressed to Mr Jack CHAN, Assistant Secretary for Security (Narcotics)<sup>2</sup> (telephone: 2867 2752, facsimile: 2810 1790) and Mr Bernard LO, Assistant Secretary for Food and Health (Health)<sup>4</sup> (telephone: 3509 8958, facsimile: 2102 2433).

Narcotics Division  
Security Bureau  
21 February 2018

**Dangerous Drugs Ordinance (Amendment of Second Schedule) Order 2018**

(Made by the Secretary for Security under section 50(2) of the Dangerous Drugs Ordinance (Cap. 134))

**1. Commencement**

This Order comes into operation on 30 April 2018.

**2. Dangerous Drugs Ordinance amended**

The Dangerous Drugs Ordinance (Cap. 134) is amended as set out in section 3.

**3. Second Schedule amended (prescribed hospitals and institutions, other than hospitals maintained by the Government and military hospitals)**

Second Schedule—

**Add in alphabetical order**

“Hong Kong Children’s Hospital (香港兒童醫院)

Olive Nursing Home cum Day Care Unit for the Elderly (紫雲間雋逸護養院暨長者日間護理單位)”.



Secretary for Security

12 February 2018

**Explanatory Note**

This Order amends the Second Schedule to the Dangerous Drugs Ordinance (Cap. 134) to add 1 hospital and 1 institution to the list of prescribed hospitals and institutions.

**New Hospital and Institution to be Included in the  
Second Schedule to the Dangerous Drugs Ordinance (Cap. 134)**

**Names of the Hospital and the Institution**

Hong Kong Children's Hospital (香港兒童醫院)

Olive Nursing Home cum Day Care Unit for the Elderly (紫雲間雋逸護養院暨長者日間護理單位)