

# LEGISLATIVE COUNCIL BRIEF

## Dangerous Drugs Ordinance (Chapter 134)

### DANGEROUS DRUGS ORDINANCE (AMENDMENT OF SECOND SCHEDULE) (No. 2) ORDER 2020

#### INTRODUCTION

On 28 December 2020, 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) (No. 2) Order 2020 (**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 new hospital and three new institutions as listed in **Annex B** will shortly and have come into operation respectively. For effective symptomatic control and medical management in the hospital and the institutions, 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.

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<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.”

4. We have also taken the opportunity to update the names of one hospital and one institution in the Second Schedule. Changes are shown in **Annex C**.

## **THE ORDER**

5. The Order at **Annex A** seeks to –
- (a) add one hospital and three institutions to the Second Schedule to the Ordinance; and
  - (b) update the names of one hospital and one institution in the Second Schedule to the Ordinance.

## **LEGISLATIVE TIMETABLE**

6. The legislative timetable will be –
- |   |                  |
|---|------------------|
| Gazettal of the Order                                   | 31 December 2020 |
| Tabling at the Legislative Council for negative vetting | 6 January 2021   |
| Commencement date of the Order                          | 26 February 2021 |

## **IMPLICATIONS OF THE PROPOSAL**

7. 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**

8. We have consulted the hospital and institutions concerned and obtained their consent to be included in this legislative amendment exercise.

## **PUBLICITY**

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

## **ENQUIRIES**

10. Any enquiries on this brief can be addressed to Mr Gary CHOW, Assistant Secretary for Security (Narcotics)2 (telephone: 2867 2752, facsimile: 2810 1790).

Narcotics Division  
Security Bureau  
29 December 2020

## Dangerous Drugs Ordinance (Amendment of Second Schedule) (No. 2) Order 2020

(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 26 February 2021.

### 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)

(1) Second Schedule—

#### (a) Repeal

“Gleneagles Hong Kong Hospital (港怡醫院)”;

#### (b) Add in alphabetical order

“Gleneagles Hospital Hong Kong (港怡醫院)”.

(2) Second Schedule—

#### (a) Repeal

“Lions Kidney Educational Centre and Research Foundation—Chinachem Group Renal Dialysis Centre (國際獅子會腎病教育中心及研究基金——華懋集團洗腎中心)”;

#### (b) Add in alphabetical order

“Lions Kidney Educational Centre and Research Foundation Day Dialysis Centre (國際獅子會腎病教育中心及研究基金日間洗腎中心)”.

(3) Second Schedule—

#### Add in alphabetical order

“Aura Nursing Home cum Day Care Centre (耀耆頤養院暨日間中心)

CUHK Medical Centre (香港中文大學醫院)

Pok Oi Hospital Centenary Chan See Memorial Nursing Home cum Day Care Centre (博愛醫院百周年陳是紀念護養院暨日間中心)

Tung Chung Silverjoy (耆樂東涌)”.



Secretary for Security

28 DEC 2020

### Explanatory Note

This Order amends the Second Schedule to the Dangerous Drugs Ordinance (Cap. 134) to—

- (a) update the names of 1 hospital and 1 institution in the list of prescribed hospitals and institutions (*the list*) (see section 3(1) and (2) of this Order); and
- (b) add 1 hospital and 3 institutions to the list (see section 3(3) of this Order).

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

**Names of the Hospital and the Institutions**

Aura Nursing Home cum Day Care Centre (耀耆頤養院暨日間中心)

CUHK Medical Centre (香港中文大學醫院)

Pok Oi Hospital Centenary Chan See Memorial Nursing Home cum Day Care  
Centre (博愛醫院百周年陳是紀念護養院暨日間中心)

Tung Chung Silverjoy (耆樂東涌)

**Update of the Names of a Hospital and an Institution  
in the Second Schedule to the Dangerous Drugs Ordinance (Cap. 134)**

**Original Name**

**Updated Name**

Gleneagles Hong Kong Hospital  
(港怡醫院)

Gleneagles Hospital Hong Kong  
(港怡醫院)

Lions Kidney Educational Centre and  
Research Foundation—Chinachem  
Group Renal Dialysis Centre  
(國際獅子會腎病教育中心及研究  
基金—華懋集團洗腎中心)

Lions Kidney Educational Centre and  
Research Foundation Day Dialysis  
Centre  
(國際獅子會腎病教育中心及研究基  
金日間洗腎中心)