



**Department of Health**

The Government of the Hong Kong Special Administrative Region

# LEGAL REQUIREMENTS FOR HANDLING DANGEROUS DRUGS

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## “Dangerous Drug” (DD) means any of the drugs or substances specified in Part I of the First Schedule of Dangerous Drugs Ordinance Cap.134

Examples of DD:

- opioids, i.e. morphine, methadone, codeine, etc;
- benzodiazepines, i.e. diazepam, triazolam, chlordiazepoxide, etc;
- depressants, i.e. barbitone, quinalbarbitone, methaqualone, etc;
- amphetamines, i.e. dexamphetamine, phentermine, MDMA etc;
- hallucinogens, i.e. phencyclidine,, lysergide, etc;
- Ketamine *[Ref.: [www.legislation.gov.hk](http://www.legislation.gov.hk)]*



# DIAZEPAM

- Classified as **DD** under DD Ordinance **Cap.134**
- Also classified as **Part I Poison** under Pharmacy and Poisons Ordinance **Cap.138\***
  - \* Pharmacy and Poisons Regulations Cap.138A  
& Poisons List Regulations Cap.138B
- Can be a **pharmaceutical product** (e.g. Dizepam 5mg Tablets) which must be registered with the Pharmacy and Poisons Board before selling or distributing locally
- Can be a **non-medicinal product** (e.g. reference standard used in laboratory)



## PHARMACY AND POISONS REGULATIONS CAP.138A

- Under Section 27, the holder of “Wholesale Poisons Licence” can sell or supply poisons to persons who require the poison for the purpose of their trade or business.
- i.e. a laboratory can legally purchase and possess a reference standard containing poison for its business e.g. analytical use.
- However, no similar statement is included in DD Ordinance Cap.134.



# DANGEROUS DRUGS ORDINANCE CAP.134

Under Section 22, the following person is authorized to **possess DD** for the practice or exercise his profession, function or employment:

- registered medical practitioner
- registered dentist
- registered veterinary surgeon
- the Government Chemist ....
- a person in charge of a laboratory used for the purposes of research or instruction and attached to a university or to an approved hospital or institution



## DANGEROUS DRUGS ORDINANCE CAP.134

- Unless your laboratory fulfils these criteria, Section 22 cannot be applied.
- According to Section 18, the Director of Health may issue any licence required for the purposes of DD ordinance.
- **“Wholesale Dealer’ s Licence to supply DD”** can be applied by the laboratory to procure and possess DD legally.



# WHOLESALE DEALER' S LICENCE TO SUPPLY DANGEROUS DRUGS (DDWL)

- Generally, the company should apply DDWL with “Wholesale Poisons Licence” to handle DD\*\*.
- A registered pharmacist must be employed to handle all transaction of DD\*\*.
- There must be adequate lockable storage room(s) for keeping DD\*\*.
- DDWL is valid **until the 1<sup>st</sup> day of January** next following the day on which it is issued.
- Current licence fee: **HK\$860**
- **Pharmacist inspector** of the Dept. Of Health will conduct the inspection of the company' s premises



# WHOLESALE DEALER' S LICENCE TO SUPPLY DANGEROUS DRUGS (DDWL)\*\*

----- FOR LABORATORY

- Only application for DDWL is needed.
- A full time / part time registered pharmacist must be employed .
- There must be adequate lockable storage facility such as cabinet.
- For details of application, please visit our website:  
<http://www.psdh.gov.hk/eps/eng/html/pharmdd.pdf>





# DANGEROUS DRUGS REGISTER

## DD REGULATIONS FIRST SCHEDULE

Date of receipt/ supply	Name and address of person* or firm from whom received/to whom supplied	Patient's identity card number #	Amount		Invoice No.	Balance
			received	supplied		

\* Cross reference of the person to whom supplied may be made in which case only the reference number of the person's treatment record needs to be given.

# For a patient who is not resident in Hong Kong, the reference number of any proof of identity, other than an identity card, specified in section 17B(1) of the Immigration Ordinance (Cap 115) shall be inserted.

收取/ 供應日期	供應/獲供應的有關人士* 或商號的姓名或名稱及地 址	病人的身分證 號碼 #	數量		發票 號碼	餘額
			收取	供應		

\* 可能獲供應危險藥物的人士的相互參照，在這情況下，只須提供該人士的治療紀錄編號。

# 如病人並非居於香港，則須填寫《入境條例》(第115章)第17B(1)條指明的任何身分證明文件(身分證除外)的編號。



Every person handling DD shall comply with the followings:

- keep a register and enter in chronological sequence;
- every quantity of DD obtained and supplied;
- in the form specified in the First Schedule, except Part II DD;
- use a separate register or separate part of the register for each DD;
- Use a separate page within the register or separate part of the register for different DD and different strengths of the preparations.



## REQUIREMENTS AS TO REGISTERS

REG.6-7 OF CAP.134A

- Head of each page of the register: specify name & strength of the DD
- Entry on the transaction day or on the next following day;
- No cancellation, obliteration or alteration of entry;
- Correction only by way of marginal note or footnote:
  - specify the correction date, in ink and indelible
- If required by the Director or any authorized officer:
  - furnish documents and produce DD stock & registers for inspection.
- Separate register for each set of premises;
- Preserve registers and documents for 2 years from last entry date



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# Common Offences under DD Ordinance & Regulations

	Offence	Legislation	Maximum Penalty
1.	Failing to keep proper record of DD	R. 5(1) & 5(7)	\$450,000 & 3 years imprisonment
2.	Failing to keep DD in a locked receptacle	S. 23(4) & 23(6)	\$5,000
3.	Failing to preserve DD records / documents	R. 7(1) & 7(3)	\$10,000 & 1 year imprisonment
4.	Trafficking in DD	S. 4(1) & 4(3)	\$5,000,000 Life imprisonment



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