

Appeal Rights and Procedures

Pharmacy and Poisons Board

1. The Pharmacy and Poisons (Manufacturers Licensing) Committee is authorised by the Pharmacy and Poisons Board of Hong Kong to decide the issuance, renewal and change of licences to manufacture pharmaceutical products. The Licensing Committee also has the authority to revoke a licence to manufacture pharmaceutical products or suspend it for a period it thinks fit, issue a warning letter to the licensed manufacturer, or vary a condition of the licence to manufacture pharmaceutical products.
2. Under Regulation 29(7) of Pharmacy and Poisons Regulations, any applicant or licensed manufacturer aggrieved by a decision of the Committee under this regulation may, in the prescribed manner, appeal to the Pharmacy and Poisons Appeal Tribunal ("Tribunal") against that decision.
3. Proceedings of the appeal are stipulated in the Pharmacy and Poisons (Pharmacy and Poisons Appeal Tribunal) Regulations Cap. 138D. The appeal request should state the grounds of the appeal and any related matters on which the appellant intends to rely in support of the appeal. Notice of an appeal shall be given not later than 28 days after the date of the decision appealed against. There shall be payable in respect of each appeal a fee of \$1670. The chairman of the Tribunal shall then appoint the date, place and time of the hearing of the appeal and give not less than 14 days' notice in writing to the parties.
4. The Tribunal may dismiss the appeal or allow the appeal wholly or in part, and may in either case give such reasons for its decision as it may deem fit. The decision of the Tribunal on an appeal shall be given in writing as a single decision together with a brief statement of the reasons, and the chairman shall sign the statement. Any person whose appeal is dismissed or allowed in part only by the Tribunal may, not later than 28 days after the decision of the Tribunal, appeal to the Court of First Instance against that decision. The decision of the Court of First Instance is final.