

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1645/01-02  
(These minutes have been  
seen by the Administration)

Ref : CB2/BC/22/00

**Bills Committee on Medical and Health Care  
(Miscellaneous Amendments) Bill 2001**

**Minutes of the second meeting  
held on Friday, 15 March 2002 at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members Present** : Dr Hon LO Wing-lok (Chairman)  
Hon Eric LI Ka-cheung, JP  
Hon CHAN Kwok-keung  
Hon CHAN Yuen-han, JP  
Hon LAW Chi-kwong, JP  
Dr Hon TANG Siu-tong, JP  
Hon Michael MAK Kwok-fung

**Member Absent** : Hon Cyd HO Sau-lan

**Public Officers Attending** : Miss Angela LUK  
Principal Assistant Secretary for Health and Welfare

Mr Peter KWOK  
Assistant Secretary for Health and Welfare

Dr Constance CHAN  
Assistant Director of Health

Mr Raymond CHIU  
Head, Boards & Councils

Mr Allen LAI  
Senior Government Counsel, Department of Justice

Action

**Deputations by Invitation : Hong Kong Dental Association**

Dr John Y K LING  
President

Dr Eugene K K CHAN  
Chairman, Dental Policy Committee

The Dental Council of Hong Kong

Dr Jeffrey TSANG, MBE  
Chairman

Midwives Council of Hong Kong

Miss Manbo MAN  
Chairman

The Nursing Council of Hong Kong

Mr Thomas K S WONG  
Chairman

Hong Kong Society for Nursing Education

Ms Shirley WONG  
Vice-chairperson

Hong Kong Public Nurses Association

Mr CHAN Man-yiu  
Chairman

Mr YEUNG Hing-wai  
Vice General Secretary

The Hong Kong College of Mental Health Nursing

Mr Frederick YEUNG  
President

The Radiation Board

Mr CHENG Kit-man  
Member

Action

**Clerk in Attendance** : Ms Doris CHAN  
Chief Assistant Secretary (2) 4

**Staff in Attendance** : Mr LEE Yu-sung  
Senior Assistant Legal Adviser 1  
  
Miss Mary SO  
Senior Assistant Secretary (2) 8

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**I. Confirmation of minutes of meeting held on 26 February 2002**  
(LC Paper No. CB(2)1285/01-02)

The minutes were confirmed.

**II. Meeting with deputations and the Administration**  
(LC Paper Nos. CB(2)1337/01-02(01) to (03))

2. The Bills Committee deliberated (Index of proceedings attached at the **Annex**).

3. The Bills Committee requested the Administration to provide a response to the following issues raised by members at the meeting -

- (a) To provide information on the number of prosecutions brought under section 18 of the Midwives Registration Ordinance during the past few years;
- (b) To state in the speech to be delivered by the Secretary for Health and Welfare during the resumption of the Second Reading debate on the Bill the circumstances under which the Radiation Board and the Nursing Council of Hong Kong would transact their business by circulation of papers among all their members without meetings; and
- (c) To consider improving the drafting of the words "and restoration of the name of a person to the register or roll" referred to in the proposed section 27(3)(c) of the Nurses Registration Ordinance to make it clear that all particulars which should be entered in the register or roll would be restored to the person concerned.

Action

4. Members expressed support for the Bill in general, and agreed that a report be made to the House Committee on 22 March 2002 recommending that the Second Reading debate on the Bill be resumed on 24 April 2002.
5. There being no other business, the meeting ended at 10:40 am.

Council Business Division 2  
Legislative Council Secretariat  
18 April 2002

**Proceedings of the second meeting of the  
Bills Committee on Medical and Health Care  
(Miscellaneous Amendments) Bill 2001  
on Friday, 15 March 2002 at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
0000-0348	Chairman	Welcoming remarks and confirmation of minutes of last meeting held on 26 February 2002	
0349-0555	Hong Kong Dental Association	Briefed members on Hong Kong Dental Association (HKDC)'s submission on the Bill (LC Paper No. CB(2) 1337/01-02(01))	
0556-0756	The Dental Council of Hong Kong	Briefed members on the Dental Council of Hong Kong (DCHK)'s submission on the Bill (LC Paper No. CB(2) 1337/01-02(02))	
0757-1041	Midwives Council of Hong Kong	Expressed support for the Bill	
1042-1155	The Nursing Council of Hong Kong	Expressed support for the Bill	
1156-1210	Hong Kong Society for Nursing Education	Expressed support for the Bill	
1211-1232	Hong Kong Public Nurses Association	Expressed support for the Bill	
1233-1308	The Hong Kong College of Mental Health Nursing	Expressed support for the Bill	
1309-1348	The Radiation Board	Expressed support for the Bill	
1349-1408	Dr TANG Siu-tong	Meaning of "consecutive" referred to in section 4A(3) of the Dentists Registration Ordinance	
1409-1442	The Dental Council of Hong Kong	Ditto	
1443-1458	Dr TANG Siu-tong	Ditto	
1459-1511	The Dental Council of Hong Kong	Ditto	
1512-1524	Dr TANG Siu-tong	Application of section 4A(3) of the Dentists Registration Ordinance	
1525-1542	The Dental Council of Hong Kong	Ditto	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
1543-1725	Mr Michael MAK	Reason(s) for adding new provisions to the Nurses Registration Ordinance and to the Radiation Ordinance enabling the Nursing Council of Hong Kong and the Radiation Board respectively to transact their business by circulation of papers without meetings	
1726-1825	The Nursing Council of Hong Kong	Ditto	
1826-1916	The Radiation Board	Ditto	
1917-1923	Chairman	Ditto	
1924-1959	Mr Michael MAK	Ditto	
2000-2020	The Nursing Council of Hong Kong	Ditto	
2021-2044	The Radiation Board	Ditto	
2045-2131	Mr CHAN Kwok-keung	Whether candidates sitting the licensing examination conducted by DCHK must already possess a certificate to practise overseas, and if so, how many years of overseas practising experience they must have acquired in order to be eligible to sit the examination;  Frequency of the licensing examination; and  The amount of Government subsidy to the examination fees of DCHK	
2132-2429	The Dental Council of Hong Kong	Response to Mr CHAN's questions	
2130 -2459	Mr CHAN Kwok-kwong	People who possessed an overseas degree in dentistry should be allowed to practise in Hong Kong without having the need to sit and pass the licensing examination conducted by DCHK	
2500-2604	The Dental Council of Hong Kong	Response to Mr CHAN's views	
2605-2622	Dr TANG Siu-tong	Effect of DCHK's not recognising overseas dental degrees on the recognition of local dental degrees by overseas dental bodies	
2623-2642	The Dental Council of Hong Kong	Ditto	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
2643-2853	Mr Michael MAK	Reason(s) for deleting "consecutive" from section 4A(3) of the Dentists Registration Ordinance	
2854-3031	The Dental Council of Hong Kong	Ditto	
3032-3204	Hong Kong Dental Association	Ditto	
3205-3232	Mr Michael MAK	Reason(s) for stating in the proposed new section 22AA of the Midwives Registration Ordinance and in the proposed new section 10AA of the Nurses Registration Ordinance that the secretary would not issue a replacement copy of the certificate of registration or of practising certificate unless the applicant proved to the satisfaction of the secretary that the original certificate was lost, destroyed or defaced	
3233-3339	Midwives Council of Hong Kong	Ditto	
3340-3406	The Nursing Council of Hong Kong	Ditto	
3407-3432	Mr Michael MAK	Ditto	
3433-3521	SALA1	Ditto	
3522-3542	Mr Michael MAK	Ditto	
3543-3639	SALA1	Ditto	
3640-3734	Dr TANG Siu-tong	Criteria for exercising its discretion to allow a certain person to sit any part of the licensing examination even though the person concerned had failed five times in that part of the examination	
3735-3802	The Dental Council of Hong Kong	Ditto	
3803-3810	Dr TANG Siu-tong	DCHK should make guidelines on the criteria for exercising its discretion to allow a certain person to sit any part of the licensing examination even though the person concerned had failed five times in that part of the examination	
3811-3815	The Dental Council of Hong Kong	Agreed to consider Dr TANG's suggestion	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
3816-3853	Chairman	Inviting the Administration to give a response on the reason(s) for stating in proposed new section 22A of the Midwives Registration Ordinance and in proposed new section 10AA of the Nurses Registration Ordinance that the secretary would not issue a replacement copy of the certificate of registration or of practising certificate unless the applicant proved to the satisfaction of the secretary that the original certificate was lost, destroyed or defaced	
3854-3915	Admin	Response to the Chairman's question	
3916-3925	Chairman	Inviting the Administration to give a response on the reason for adding new provisions to the Nurses Registration Ordinance and to the Radiation Ordinance enabling the Nursing Council of Hong Kong and the Radiation Board to transact their business by circulation of papers without meetings	
3926-4001	Admin	Response to the Chairman's question	
4002-4255	Chairman	Referring members to the Administration's response to the issues raised by members at the last meeting (LC Paper No. CB(2)1337/01-02(03))  Clause-by-clause examination of the Bill  Clause 1 - Short title and commencement  Clause 2 - Amendment of Dentists Registration Ordinance (Schedule 1)	
4256-4318	Admin	Response to the Chairman's enquiry on the proposed amendment to section 4(3) of the Dentists Registration Ordinance allowing the appointment of members of DCHK to be less than a period of three years	
4319-4521	Chairman	Proposed amendments to sections 4A and 8 of the Dentists Registration Ordinance	
4522-4602	Miss CHAN Yuen-han	Proposed amendments to section 8(b) of the Dentists Registration Ordinance	
4603-4644	Admin	Ditto	
4645-4704	Miss CHAN Yuen-han	Ditto	
4705-4740	Admin	Ditto	
4741-4750	Miss CHAN Yuen-han	Ditto	



Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
4751-5053	Chairman	Clause 3 - Amendment of Midwives Registration Ordinance and its subsidiary legislation (Schedule 2)	
5054-5125	Mr CHAN Kwok-keung	Whether a husband attending to his wife in childbirth would commit an offence under section 18 of the Midwives Registration Ordinance	
5126-5139	Admin	Ditto	
5140-5214	Mr CHAN Kwok-keung	Ditto	
5215-5342	SALA1	Ditto	
5343-5424	Mr CHAN Kwok-keung	Ditto	
5425-5436	Chairman	Ditto	
5437-5603	Admin	Ditto	
5604-5632	Dr TANG Siu-tong	Whether a person other than a registered midwife attending to a woman in childbirth under urgent conditions, say, a policeman, would commit an offence under section 18 of the Midwives Registration Ordinance	
5633-5700	Chairman	Ditto	
5701-5742	Dr TANG Siu-tong	Whether a non-registered midwife would commit an offence under section 18 of the Midwives Registration Ordinance if the pregnant woman concerned chose to use a non-registered midwife	
5743-5916	Mr LAW Chi-kwong	Ditto	
5917-5921	Chairman	Ditto	
5922-010001	SALA1	Ditto	
010002-010008	Admin	Ditto	
010009-010019	Dr TANG Siu-tong	Ditto	
010020-010053	Admin	Ditto	
010054--010115	Miss CHAN Yuen-han	Number of prosecutions brought under section 18 of the Midwives Registration Ordinance during the past few years	
010116-010131	Admin	Ditto	
010132-010141	Miss CHAN Yuen-han	Ditto	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
010142-010225	Chairman	The Administration should provide a written response on the number of prosecutions brought under section 18 of the Midwives Registration Ordinance during the past few years	
010226-010243	Admin	Agreed to provide a written response	✓
010244-010251	Chairman	Reason(s) why section 18 of the Midwives Registration Ordinance did not include registered nurses for attending women in childbirth	
010252-010304	Admin	Ditto	
010305-010309	Chairman	Ditto	
010310-010331	Admin	Ditto	
010332-010411	Mr LAW Chi-kwong	Ditto	
010412-010418	Chairman	Ditto	
010419-010438	Mr Michael MAK	Ditto	
010439-010557	Chairman	Proposed new section 22AA of the Dentists Registration Ordinance	
010558-010629	Miss CHAN Yuen-han	Ditto	
010630-010646	Admin	Ditto	
010647-010659	Miss CHAN Yuen-han	Ditto	
010700-010707	Admin	Ditto	
010708-010712	Miss CHAN Yuen-han	Ditto	
010713-010723	Admin	Ditto	
010724-010752	Mr Eric LI	Ditto	
010753-010857	Admin	Ditto	
010858-010941	Mr Eric LI	Ditto	
010942-011121	SALA1	Ditto	
011122-011125	Mr Eric LI	Ditto	
011126-011241	Chairman	Proposed amendments to section 23 of the Dentists Registration Ordinance and to the Schedule of the Midwives Registration (Fees) Regulation	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
011242-011343	Mr LAW Chi-kwong	Proposed amendments to section 23 of the Dentists Registration Ordinance	
011344-011347	Chairman	Ditto	
011348-011518	Admin	Ditto	
011519-011527	Mr Eric LI	Ditto	
011528-011536	Chairman	Ditto	
011537-011618	SALA1	Ditto	
011619-011635	Chairman	Ditto	
011636-011659	Admin	Ditto	
011700-011844	Chairman	Proposed repeal of section 4 of the Midwives (Registration and Disciplinary Procedure) Regulation  Proposed repeal and substitution of section 7 of the Midwives (Registration and Disciplinary Procedure) Regulation  Proposed amendments to Schedule 2 of the Midwives (Registration and Disciplinary Procedure) Regulation  Proposed amendments to section 4(b) of the Midwives (Registration and Disciplinary Procedure) Regulation  Clause 4 - Amendment of Nurses Registration Ordinance and its subsidiary legislation (Schedule 3)	
011845-011950	Mr Michael MAK	Reason(s) for the duplication of the words "管理" in the heading of Part II and in section 3(1) of the Nurses Registration Ordinance	
011951-012038	Admin	Ditto	
012039-012043	Chairman	Ditto	
012044-012140	Mr Michael MAK	Ditto	
012141-012311	Admin	Ditto	
012312-012323	Chairman	Ditto	
012324-012327	Mr Eric LI	Ditto	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
012328-012503	Chairman	Proposed new section 3A of the Nurses Registration Ordinance  Proposed amendments to section 4 of the Nurses Registration Ordinance  Proposed new section 4AA of the Nurses Registration Ordinance	
012504-012546	Mr LAW Chi-kwong	Whether there was a need to legislate transaction of business by circulation of papers	
012547-012605	Admin	Ditto	
012606-012645	Mr Eric LI	Ditto	
012646-012715	Admin	Ditto	
012716-012809	Mr Eric LI	Ditto	
012810-012946	Admin	Ditto	
012947-013028	Mr Eric LI	Ditto	
013029-013035	Chairman	Ditto	
013036-013131	SALA1	Ditto	
013132-013244	Mr Eric LI	Ditto	
013245-013358	SALA1	Ditto	
013359-013525	Mr LAW Chi-kwong	Ditto	
013526-013536	Mr Eric LI	Ditto	
013537-013544	Mr LAW Chi-kwong	Ditto	
013545-013550	Chairman	The Secretary for Health and Welfare should state in his speech to the Council during the resumption of the Second Reading debate on the Bill the circumstances under which the Nursing Council and the Radiation Board would transact their business by circulation of papers	
013551-013608	Admin	Agreed to the Chairman's request	✓ (Admin to give a written confirmation)

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
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013609-013935	Chairman	Proposed new section 8A of the Nurses Registration Ordinance  Proposed repeal of section 10(2) of the Nurses Registration Ordinance and substituted it with a proposed new section 10AA  Proposed new section 14A of the Nurses Registration Ordinance  Proposed repeal of section 16(2) of the Nurses Registration Ordinance and substituted it with a proposed new section 16AA  Proposed amendments to section 27 of the Nurses Registration Ordinance	
013936-014004	Mr Eric LI	Meaning of the words "and restoration of the name of a person to the register or roll" referred to in the proposed section 27(3)(c) of the Nurses Registration Ordinance	
014005-014015	Admin	Ditto	
014015-014045	Mr Eric LI	Ditto	
014046-014057	Admin	Ditto	
014058-014146	Mr Eric LI	Ditto	
014147-014204	Admin	Ditto	
014205-014224	Mr Eric LI	Ditto	
014225-014316	Mr LAW Chi-kwong	Ditto	
014317-014417	Admin	Ditto	
014418-014502	Mr Eric LI	Ditto	
014503-014507	Chairman	Ditto	
014508-014620	Admin	Ditto	
014621-014656	SALA1	Ditto	
014657-014801	Mr LAW Chi-kwong	Ditto	
014802-014819	Chairman	Ditto	
014820-014836	Mr Eric LI	Ditto	
014837-014842	Chairman	Ditto	
014843-014917	SALA1	Ditto	
<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>

Action

014918-014955	Mr LAW Chi-kwong	Ditto	
014956--015106	Admin	The Administration would consider improving the drafting of the words "and restoration of the name of a person to the register or roll" referred to in the proposed section 27(3)(c) of the Nurses Registration Ordinance to make it clear that all particulars which should be entered in the register or roll would be restored to the person concerned	✓ (Admin to provide a written response)
015107-015523	Chairman	<p>Proposed amendments to Regulation 6 and Second Schedule of the Nurses (Registration and Disciplinary Procedures) Regulations</p> <p>Proposed amendments to Regulation 6 and Second Schedule of the Enrolled Nurses (Registration and Disciplinary Procedures) Regulations</p> <p>Clause 5 - Amendment of Hospitals, Nursing Homes and Maternity Homes Registration Ordinance (Schedule 4)</p> <p>Proposed amendments to sections 2(1) and 3 of the Hospitals, Nursing Homes and Maternity Homes Registration Ordinance</p> <p>Clause 6 - Amendment of Radiation Ordinance (Schedule 5)</p> <p>Proposed amendments to section 3 and proposed new section 3A of the Radiation Ordinance</p> <p>Clause 7 - Amendment of Chinese Medicine Ordinance (Schedule 6)</p>	
015524-015622	Admin	Chinese version of the proposed amendment to section 98(2)(b) of the Chinese Medicine Ordinance in Schedule 6 of the Bill	
015623-015637	Mr Michael MAK	Ditto	
015638-015835	Admin	Ditto	
015836-020018	Mr Eric LI	Ditto	
020019-020057	Admin	Ditto	
020058-020136	SALA1	Ditto	
020137-020152	Chairman and Mr Eric LI	Ditto	
020153-020201	Mr Eric LI	Ditto	

Action

<b>Time</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
020202-020223	Mr Michael MAK	Ditto	
020224-020330	Mr LAW Chi-kwong	Ditto	
020331-020447	Chairman	The Administration might wish to review the wording of the Chinese version of the proposed amendment to section 98(2)(b) of the Chinese Medicine Ordinance in Schedule 6 of the Bill	
	Chairman	Legislative timetable	
020448-020538	Dr TANG Siu-tong	Proposed new section 3A of the Nurses Registration Ordinance	
020539-020556	Mr LAW Chi-kwong	Ditto	
020557-020614	Admin	Ditto	
020615-020630	Chairman	Closing remarks	

**Note : The audio records of the above proceedings are kept at the LegCo Library**

Council Business Division 2  
Legislative Council Secretariat  
18 April 2002