

**LEGISLATIVE COUNCIL BRIEF**

**Dentists Registration Ordinance (Chapter 156)**

DENTISTS (REGISTRATION AND DISCIPLINARY PROCEDURE)  
(AMENDMENT) REGULATION 2000

ANCILLARY DENTAL WORKERS (DENTAL HYGIENISTS)  
(AMENDMENT) REGULATION 2000

**Medical Registration Ordinance (Chapter 161)**

MEDICAL REGISTRATION (FEES) (AMENDMENT) REGULATION 2000

**Midwives Registration Ordinance (Chapter 162)**

MIDWIVES REGISTRATION (FEES) (AMENDMENT) REGULATION 2000

**Nurses Registration Ordinance (Chapter 164)**

NURSES (REGISTRATION AND DISCIPLINARY PROCEDURE)  
(AMENDMENT) REGULATION 2000

ENROLLED NURSES (ENROLMENT AND DISCIPLINARY PROCEDURE)  
(AMENDMENT) REGULATION 2000

**Supplementary Medical Professions Ordinance (Chapter 359)**

MEDICAL LABORATORY TECHNOLOGISTS (REGISTRATION AND  
DISCIPLINARY PROCEDURE) (AMENDMENT) REGULATION 2000

OCCUPATIONAL THERAPISTS (REGISTRATION AND  
DISCIPLINARY PROCEDURE) (AMENDMENT) REGULATION 2000

RADIOGRAPHERS (REGISTRATION AND DISCIPLINARY  
PROCEDURE) (AMENDMENT) REGULATION 2000

OPTOMETRISTS (REGISTRATION AND DISCIPLINARY  
PROCEDURE) (AMENDMENT) (NO.2) REGULATION 2000

PHYSIOTHERAPISTS (REGISTRATION AND DISCIPLINARY  
PROCEDURE) (AMENDMENT) REGULATION 2000

## INTRODUCTION

Section 29A of the Interpretation and General Clauses Ordinance (Cap. 1) empowers the Financial Secretary (which means also the Secretary for the Treasury by virtue of section 3 of Cap. 1) to vary fees which have previously been fixed by subsidiary legislation made by the Chief Executive in Council.

2. In exercise of this power, the Secretary for the Treasury has made the Amendment Regulations at **Annexes A to K** to revise the fees prescribed in the following subsidiary legislation by the Chief Executive in Council:-

- (a) Dentists (Registration and Disciplinary Procedure) Regulations and Ancillary Dental Workers (Dental Hygienists) Regulations, both made under the Dentists Registration Ordinance (Cap. 156);
- (b) Medical Registration (Fees) Regulation made under the Medical Registration Ordinance (Cap. 161);
- (c) Midwives Registration (Fees) Regulation made under the Midwives Registration Ordinance (Cap. 162);
- (d) Nurses (Registration and Disciplinary Procedure) Regulations and Enrolled Nurses (Enrolment and Disciplinary Procedure) Regulations, both made under the Nurses Registration Ordinance (Cap. 164); and
- (e) Medical Laboratory Technologists (Registration and Disciplinary Procedure) Regulations; Occupational Therapists (Registration and Disciplinary Procedure) Regulations; Radiographers (Registration and Disciplinary Procedure) Regulation; Optometrists (Registration and Disciplinary Procedure) Regulation and Physiotherapists (Registration and Disciplinary Procedure) Regulation, made under the Supplementary Medical Professions Ordinance (Cap. 359).

## BACKGROUND AND ARGUMENT

3. It is Government policy that certain fees should in general be set at levels sufficient to recover the full cost of providing the services. Most Government fees and charges have been frozen since February 1998 as an exceptional measure to ease the burden on the community at a time of economic setback. The Financial Secretary decided in June 1999 to continue the fee revision moratorium until the year-on-year quarterly GDP growth rate turned firmly positive.

4. In view of the current state of economy recovery, the Administration consulted the LegCo Panel on Financial Affairs on 13 April 2000 on proposals to revise various fees that would not directly affect people's livelihood or general business activities. Taking into account the diverse nature of the fees involved, Members suggested and the LegCo House Committee agreed on 14 April 2000 that the Administration should consult the relevant subject LegCo Panels on whether and if so how the fees under their respective purview should be adjusted.

5. We consulted the LegCo Panel on Health Services on 23 June 2000 on our proposals to revise, among others, fees and charges related to registration of dentists, nurses, midwives, supplementary medical professionals and medical practitioners. Most of them were last revised in 1996 or 1997. Based on a recent costing review conducted in 2000-01, most of the existing fees recover 43% to 99% of the full cost of providing the services at 2000-01 prices. For the exceptions, mainly the examination fees for medical practitioners, the existing fees only recover 14% to 34% of the full cost. **Annex L** provides details of the existing and proposed fees and the cost computation. In order to alleviate the impact of the fee increase, we propose to increase the existing fees by 1% to 20% with a view to achieving full cost recovery within one to seven years. Members of the Panel raised no objection to the proposals.

## THE AMENDMENT REGULATIONS

6. The Amendment Regulations revise various fees as set out at **Annex L**.

## **LEGISLATIVE TIMETABLE**

7. The legislative timetable will be –

Publication in the Gazette	10 November 2000
Tabling at the Legislative Council	15 November 2000

## **COMMENCEMENT**

8. We propose that the new fees should be effective from 1 January 2001.

## **PUBLIC CONSULTATION**

9. In September/October 2000, we consulted the regulatory bodies concerned on the fee proposals and they in general raised no objection.

## **BASIC LAW IMPLICATIONS**

10. The Department of Justice advises that the Amendment Regulations are consistent with the Basic Law.

## **HUMAN RIGHTS IMPLICATIONS**

11. The Department of Justice advises that the Amendment Regulations have no human rights implications.

## **BINDING EFFECT OF THE LEGISLATION**

12. The Amendment Regulations will not affect the current binding effect of the principal Ordinances.

## **EFFICIENCY INITIATIVES**

13. In 1999, the Boards and Councils Office of Department of Health has set up a Central Registration Office to handle applications for registration and certification of health care professionals. This initiative has achieved economy of scale and reduced costs.

## **FINANCIAL AND STAFFING IMPLICATIONS**

14. The additional revenue generated is estimated to be about \$1 million per annum. There are no staffing implications.

## **ECONOMIC IMPLICATIONS**

15. The cost impact on the services concerned brought about by the proposed upward revision of fees under the said Ordinances should be minimal.

## **PUBLICITY**

16. The Amendment Regulations will be published in the Gazette on 10 November 2000.

## **ENQUIRIES**

17. For enquiries, please contact Mr Peter Kwok, Assistant Secretary (Health and Welfare)/Health and Welfare Bureau (tel: 2973 8117).

Health and Welfare Bureau  
November 2000

## COST COMPUTATION

## Department of Health

## Fees payable under the Occupational Therapists (Registration and Disciplinary Procedure) Regulations

Cost at 2000-01 prices  
(for processing one application)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Staff Costs	361	462	993	239	281	553	427	933	1,673	342
Accommodation Costs	33	43	91	23	26	51	39	84	153	31
Departmental Expenses	16	21	45	11	13	25	20	43	1,092	16
Central Administrative Overhead	10	12	26	6	7	15	11	25	44	9
<b>Unit Cost</b>	<b>420</b>	<b>538</b>	<b>1,155</b>	<b>279</b>	<b>327</b>	<b>644</b>	<b>497</b>	<b>1,085</b>	<b>2,962</b>	<b>398</b>
Existing fee	365	465	1,115	245	285	570	432	1,075	1,060	390
<b>Proposed fee</b>	<b>400 *</b>	<b>510 *</b>	<b>1,155 @</b>	<b>270 *</b>	<b>315 *</b>	<b>625 *</b>	<b>475 *</b>	<b>1,085 @</b>	<b>1,270 &amp;</b>	<b>395 @</b>

Legend

- (1) Any alteration to the register under section 10(2)
- (2) Restoration to the register under section 10(5)
- (3) Registration under section 13
- (4) Certified copy of a certificate of registration under section 14(3)
- (5) Duplicate certificate of registration under section 14(7)
- (6) Certificate of standing under section 14A
- (7) Certificate verifying registration under section 14A
- (8) Provisional registration under section 15
- (9) Examination fee for an examination under section 15A
- (10) Practising certificate issued under section 16

\* Derived by multiplying the existing fee by an increase of 10%.

& Derived by multiplying the existing fee by an increase of 20%.

@ Based on the full cost at 2000-01 prices.