

立法會
Legislative Council

LC Paper No. CB(2)773/05-06
(These minutes have been
seen by the Administration)

Ref : CB2/BC/16/04

Bills Committee on Dentists Registration (Amendment) Bill 2005

**Minutes of the second meeting
held on Tuesday, 13 December 2005 at 10:45 am
in Conference Room A of the Legislative Council Building**

Members present : Dr Hon KWOK Ka-ki (Chairman)
Hon Andrew CHENG Kar-foo
Hon Audrey EU Yuet-mee, SC, JP

Member absent : Hon LI Kwok-ying, MH

Public Officers attending : Item I

Mr Jeff LEUNG
Principal Assistant Secretary for Health, Welfare and Food
(Health)

Mr Eric CHENG
Assistant Secretary for Health, Welfare and Food (Health)

Dr Joseph CHAN
Consultant i/c Dental Service
Department of Health

Mr H Y AU
Head, Boards & Councils
Department of Health

Ms Lonnie NG
Senior Assistant Law Draftsman (Acting)

Deputations by invitation : The College of Dental Surgeons of Hong Kong

Dr Bill YAN Sik-wing
President

Hong Kong Dental Association (Ltd)

Dr Vincent F S LEUNG
President

Clerk in attendance : Ms Doris CHAN
Chief Council Secretary (2) 4

Staff in attendance : Miss Monna LAI
Assistant Legal Adviser 7

Ms Maisie LAM
Council Secretary (2) 2

Miss Maggie CHIU
Legislative Assistant (2) 4

Action

I. Meeting with deputations and the Administration

(LC Paper Nos. CB(2)635/05-06(01) to (05) and CB(2)651/05-06(01) to (02))

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

2. The Administration was requested to clarify the legislative intent in respect of the conditions set out in the proposed section 12B(3).

3. The Administration agreed to revert to members the policy intent of the Dental Council of Hong Kong (“the Council”) regarding the difference in the non-academic conditions an applicant had to satisfy for inclusion in the General Register and the Specialist Register as provided under section 9(3)(b) and the proposed section 12B(3)(b) respectively.

II. Date of next meeting

4. Members noted that they would be informed of the date of the next meeting in due course.

(Post-meeting note : The next meeting of the Bills Committee would be held on 12 January 2006 at 8:30 am.)

5. There being no other business, the meeting ended at 12:45 pm.

Council Business Division 2
Legislative Council Secretariat
29 December 2005

**Proceedings of the second meeting of the
Bills Committee on Dentists Registration (Amendment) Bill 2005
on Tuesday, 13 December 2005 at 10:45 am
in Conference Room A of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action Required
000000 – 000350	Chairman	Opening remarks	
000351 – 000540	Chairman The College of Dental Surgeons of Hong Kong	Presentation of views by the College of Dental Surgeons of Hong Kong [LC Paper No. CB(2)635/05-06(03)]	
000541 – 000936	Chairman Hong Kong Dental Association (Ltd)	Presentation of views by Hong Kong Dental Association (Ltd) [LC Paper No. CB(2)651/05-06(02)]	
000937 – 002330	Chairman Ms Audrey EU Administration The College of Dental Surgeons of Hong Kong Hong Kong Dental Association (Ltd)	Expressed thanks to deputations Comparison with provisions in the Medical Registration Ordinance (Cap. 161) regarding the following - (a) establishment, composition and functions of the Education and Accreditation Committee; (b) application for inclusion of the name of a registered medical practitioner in Specialist Register; (c) removal of a medical practitioner's name from the Specialist Register; and (d) appeal against the decision on not entering an applicant's name in, or the order to remove a medical practitioner's name from, the Specialist Register. Policy intent regarding the difference between the application for including the name of a registered dentist and a registered medical practitioner in the respective Specialist Register	
002331 – 004926	Ms Audrey EU Chairman ALA7 Administration	Statutory interpretation of "infamous or disgraceful conduct in a professional respect" in the Dentists Act 1957 of the United Kingdom and "serious professional misconduct" in the Dentists Act 1984 and their application to Hong Kong cases of misconduct of registered dentists and medical practitioners Policy intent regarding the difference between the provision "has been guilty of unprofessional conduct" in section 9(3)(b) and "the dentist is of good character" in the proposed section 12B(3)(b) as a condition for vetting an application for inclusion in the General Register and the Specialist Register respectively The grounds for the suitability issue on whether the name of a registered dentist should be included in, or removed	

Time Marker	Speaker	Subject(s)	Action Required
		from, the Specialist Register in the proposed section 2(4)(c)	
004927 – 005003	Chairman Administration	The provisions regarding application for inclusion of the name of a registered medical practitioner in the Specialist Register under the Medical Registration Ordinance	
005004 – 011849	Ms Audrey EU Administration Hong Kong Dental Association (Ltd) Chairman ALA7	<p>Whether the meaning of the provision “the dentist is of good character” in the proposed section 12B(3)(b) was restricted to the act which would be reasonably regarded by registered dentists of good repute and competency as affecting the question of whether the name of a dentist should be included in, or removed from, the Specialist Register in the proposed section 2(4)(c)</p> <p>Whether the standard of conduct for entering a registered dentist’s name in Specialist Register was different from that for removing a name from Specialist Register</p> <p>The Administration was requested to clarify the legislative intent in respect of the conditions set out in the proposed section 12B(3)</p>	<p>✓ (Admin to respond)</p>
011850 – 012159	Ms Audrey EU Chairman Administration	Reasons for the amendments in relation to the establishment of Specialist Register and the general review of the Dentists Registration Ordinance (Cap. 156) to update and improve the existing regulatory regime for the dental profession	
012200 – 012934	Ms Audrey EU Administration ALA7 Chairman Hong Kong Dental Association (Ltd)	The Administration undertook to seek the advice of the Council on the policy intent regarding the difference in the non-academic conditions an applicant had to satisfy for inclusion in the General Register and the Specialist Register as provided under section 9(3)(b) and the proposed section 12B(3)(b) respectively	<p>✓ (Admin to respond)</p>
012935 – 014146	Ms Audrey EU Administration Chairman Hong Kong Dental Association (Ltd) ALA7	<p>Delineation of the role of Education and Accreditation Committee and the Preliminary Investigation Committee in considering a complaint or information on a suitability issue under the Bill</p> <p>The provisions regarding the role of Education and Accreditation Committee and the Preliminary Inquiry Committee in the Medical Registration Ordinance</p> <p>The question of whether a particular course of conduct which amounted to “unprofessional conduct” in the Code of Professional Discipline promulgated by the Council fell within the purview of “unprofessional conduct” under the Dentists Registration Ordinance</p>	
014147 – 014308	Chairman ALA7 Administration	Appeal against the Council’s decision of not entering a name in the Specialist Register	
014309 – 014722	Administration Chairman	Briefing by the Administration on its paper setting out the policy intent of appeal to Court arrangements regarding the Council’s decision to not include or remove a name from the General Register or the Specialist	

Time Marker	Speaker	Subject(s)	Action Required
		Register [LC Paper No. CB(2)651/05-06(01)]	
014723 – 015201	Hong Kong Dental Association (Ltd) Chairman Administration	Transitional arrangements for existing specialist dentists The need to apprise existing registered dentists on the establishment of and the qualification for inclusion in the Specialist Register well in advance of the enactment of the Bill	
015202 – 015446	Administration Chairman The College of Dental Surgeons of Hong Kong	Briefing by the Administration on its paper detailing the transitional arrangement for existing specialist dentists and the summary of guidelines for vetting applications to use specialist titles issued by the Council since 1982 [LC Paper No. CB(2)635/05-06(01)]	
015447 – 015508	Chairman	Date of next meeting	

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