

***Our ref.:*** HWF CR 1/V/3261/92 Pt.13  
***Your ref.:*** CB2/BC/16/04

***By fax and email***  
***Tel.:*** 2973 8103  
***Fax:*** 2840 0467

13 April 2006

Ms Doris CHAN  
Legislative Council Secretariat  
3/F Citibank Tower  
3 Garden Road  
Hong Kong

Dear Ms Chan,

**Bills Committee on Dentists Registration (Amendment) Bill 2005**

---

In our letter to the Legal Adviser to the Bills Committee on 21 March, we undertake to introduce the following CSAs –

- To add the words “registered” before the word “address” in the new sections 7(4), 13A(1), 13A(2), 15(1A) and the amended section 15(1).
- To remove the word “I have the honour to be, Sir/Madam, your obedient servant” in the English text of Form 6 in the First Schedule under the Dentists (Registration and Disciplinary Procedure).

These amendments were agreed in principle by the Committee in the last meeting on 28 March.

Enclosed please find a set of CSAs. The new amendments above are incorporated in the previous set of CSAs examined in the last meeting for the members' consideration.

Yours sincerely,

(Jeff LEUNG)  
for Secretary for Health, Welfare and Food

Encl.

# DENTISTS REGISTRATION (AMENDMENT) BILL 2005

## COMMITTEE STAGE

### Amendments to be moved by the Secretary for Health, Welfare and Food

<u>Clause</u>	<u>Amendment Proposed</u>
3	<p>(a) The following is added after paragraph (a) –</p> <p>“(aa) in subsection (3), by adding “and (2A)” after “22(2);”.</p> <p>(b) In paragraph (b), by renumbering the proposed section 2(3) and (4) as section 2(5) and (6) respectively.</p> <p>(c) In paragraph (b), in the proposed section 2(6), by deleting everything after “Register” where it first appears and substituting a full stop.</p>
6(c)	<p>In the proposed section 7(4), by adding “registered” before “addresses”.</p>
10	<p>In the proposed section 12B(3)(b), by deleting “of good character” and substituting “competent in the specialty”.</p>
12	<p>In the proposed section 13A(1) and (2), by adding “registered” before “addresses”.</p>
14	<p>(a) By deleting paragraph (a) and substituting –</p> <p>“(a) in subsection (1) –</p> <p>(i) by repealing “register” and substituting “General Register”;</p> <p>(ii) by adding “registered” before “addresses”;”.</p>

(b) In paragraph (b), in the proposed section 15(1A), by adding “registered” before “addresses”.

17(c) In the proposed section 22(2A), by deleting everything after “concerned” and substituting “or, in the case of an appeal made to the Court of Appeal against the order under section 23, before the appeal is finally determined.”.

18 By deleting the clause and substituting –

**“18. Appeals**

Section 23 is amended –

(a) by repealing subsection (1) and substituting –

“(1) The following person may appeal to the Court of Appeal –

(a) any person whose name has been ordered not to be entered in the General Register under section 9(3);

(b) any registered dentist whose application under section 12B(1) to have his name included in the Specialist Register is rejected by the Council;

(c) any registered dentist who is aggrieved by an order made in respect of him under section 15, 15A(2) or 18,

and the Court of Appeal may affirm, reverse or vary the order or decision appealed against.”;

(b) in subsection (3), by repealing everything after “(Cap. 4)” and substituting a full stop;

(c) by adding –

“(3A) Despite subsection (3), the Court of Appeal has no power to –

- (a) hear any appeal against an order made under section 9, 15A(2) or 18 unless notice of the appeal was given within 1 month of the order being served in accordance with section 22(1);
- (b) hear any appeal against a decision made by the Council to reject an application under section 12B(1) unless notice of the appeal was given within 1 month of the notice of the rejection being given under section 12B(11).”.

22(b)

By deleting subparagraph (i) and substituting –

“(i) by adding –

“(ba) the ascertainment by the chairman of the Preliminary Investigation Committee as to whether a complaint or information about any registered dentist involves a suitability issue and the referral of such a complaint or information involving a suitability issue to the Education and Accreditation Committee;”.

34(d)

(a) In subparagraph (ii), by deleting the full stop and substituting a semicolon.

(b) By adding –

“(iii) in the English text, by repealing –  
“I have the honour to be,  
Sir/Madam,  
Your obedient servant.””.