"camson tang"

2006/11/07 PM 05:23

I have learned that the 衛生事務委員會會議 will be held on 2006年11月13日

(星期一) and the Item Five of the Agenda is

V. 中醫的註冊
(上午9時30分至10時正)

I would like to have the Chinese Medicine Ordinance augmented as follows:

As the regulation of Industry chinese medicines starts for a few years, in order to better develop and make it more prosperous, may I here recommend a way to attract more experienced and qualified professional(s) from the Peolpe Republic of China to Hong Kong so as to help improve the image and strengthen the reputation.

No one can deny that the industry starts from ancient China where has accumulated thousand years of experiences and I also understand that there are a a lot of academics recruited from China to deliver lectures and carry out researches in the following universities:

Hong Kong Baptist University, Chinese University of Hong Kong and University of Hong Kong. In addition, I also learn that graduates from these Universities are sent ot the Mainland, China to get their apprentice practising. Therefore, the QUALITY of Licensed Chinese Medicine Pracititioners, CMP, of China is CONSTRUCTIVELY affirmed and approved as equivalent as that of Hong Kong by Profession / Industry and or Education in Hong Kong.

My suggestion simply asks your Council to allow the practising of the REAL experienced and qualified professional(s) of the Licensed CMP in Hong Kong by augmenting the Chapter 549, the Chinese Medicine Ordinance as follows:

1. Section:67 Registration

A person is qualified to apply to be registered as a registered Chinese medicine practitioner under section 69 if-

a) he has passed the Licensing Examination; or

b) the Practitioners Board has determined that he is so qualified under section 92.

"Proposed to augment:

c) The person has the Practising License of Chinese Medicine Nation-wide) issued by Ministry of Health, Pepole Republic of China."

2. Section: 92 Heading: Alternative qualifying requirements

1) The Practitioners Board may determine a person to be qualified to be registered under section 69 if it is satisfied, after assessment, that the person-

a) is one whose name is entered on the list maintained under section 90; and

b) has acquired substantial experience, knowledge and skills in the practice of Chinese medicine.

2) No person shall be regarded as having acquired substantial experience, knowledge and skills for the purpose of subsection

1)(b) unless he has-

a) attained the standard which qualifies him to be exempted from the Licensing Examination under section 93;

b) passed the registration assessment as required under section 94; or

c) passed the Licensing Examination as required under section 95.

"Proposed to augment:

c) The person has the Practising License of Chinese Medicine (Nation-wide) issued by Ministry of Health, Pepole Republic of China."

3. S 95: Requirement to undertake Licensing Examination

1) A listed Chinese medicine practitioner who-

a) satisfies the Practitioners Board that immediately before 3

January 2000, he has been practising Chinese medicine in Hong Kong "or People Republic of China" (propose to augment) for a continuous period of less than 10 years; or

(b) has failed the registration assessment, shall be required to undertake the Licensing Examination, the passing of which shall qualify him to apply to be registered as a registered Chinese medicine practitioner under section 69.

2) Notwithstanding subsection (1)(b), a listed Chinese medicine practitioner who has made a request for review under section 96 shall not be required to undertake the Licensing Examination pending the outcome of the review.

As Hong Kong is a open society where attract qualified professionals to help prosper the society. This perspective is always advocated by the Government of HKSAR, implemented by the Immigration Department through the Scheme of Attracting Professionals.

We are no afraid of competition that drives to perfect the industry / the entity concerned but we are really afraid of allowing the person who does not qualify to practise that undermine the reputation of the Industry in Hong Kong and this is what the REGULATION means.

I do hope that your Council may consider my view.

Camson Tang

"camson tang"

2006/11/07 PM 05:23

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V. 中醫的註冊
(上午9時30分至10時正)

Please be understood that it is the Government of HKSAR who requests, initiated by relevant professional bodies concerned, for mutual recognition of professional qualifications with Mainland through CEPA under which I hope ,you may recall, that Architects of PRC and Hong Kong have already enjoyed the mutual recognition of thier professioal qualification and the other professions, like Lawyers, Chinese Medicine Practitioners, Dentists as well as Accountants, are in the way of discussion.

Relating to Chinese Medicine Practitioners, the parties involved in discussion, I believe they will be the Health, Welfare and Food Bureau, Department of Health HK and Chinese Medicine Council of Hong Kong with their PRC counterpart of Ministry of Health.

As far as I was told, it is the Chinese Medicine Council of Hong Kong and / or your Bureau who do(es) not want the occurence of mutual recognition of professional qualification in Hong Kong.

Please implement the Mutual Recognition of CMPs (PRC&HK) - CEPA

Thank you.

Camson Tang

"camson tang"

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V. **中醫的註冊**

(上午9時30分至10時正)

"Through CEPA - Mutual Recognition of qualification in Hong Kong

I reter to the article attached below from RTHK Online News published on today. 梁振英, Leung Chun Ying, has openly stated that Hong Kong professionals will not be the competitors to their counterparts in China through CEPA.

Then, why Hong Kong cannot have a view exactly the same as that of China under CEPA.

Please let the PRC licensed chinese medicine practitioners to prosper the Industry of Chinese Medincinee in Hong Kong."

Thank you for your attention.

Camson Tang

內地獨資是突破

2006-06-29 HKT 16:14

香港專業聯盟召集人梁振英表示，CEPA補充協議三內容有突破。

他指，內地放寬過去專業服務不容獨資的條件，首先放寬的是工程造價諮詢可以獨資經營，日後會繼續與內地溝通，希望其他專業都可以在內地獨資經營。

他說，希望內地專業界了解，香港的專業人士不會成爲內地的競爭者，反而有助他們與海外競爭。

Camson Tang

"camson tang"
2006/11/07 PM 05:25

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V. 中醫的註冊
(上午9時30分至10時正)

I refer to the RTHK's online news attached below. Then, why not Hong Kong FIRSTLY grant the practising license to their mainland counterparts, especially the perspective of Chinese Medicine, to show the sincerity of Hong Kong for the mutual recognition of professional qualifications under CEPA.

Mutual prosperity is much better than self-containment.

周一嶽：希望北京放寬本港醫生在內地執業資格

2006-09-29 HKT 11:40

衛生福利及食物局長周一嶽，聯同衛生署、醫管局及本港醫學界代表，在北京與衛生部長高強會面。

周一嶽在會面後表示，與對方商討了如何放寬香港醫生在內地執業；加強兩地醫學交流及規管兩地醫療廣告等事宜。

周一嶽指出，近年越來越多香港人在內地工作和定居，希望研究放寬本港醫生在內地的執業資格，他不擔心本港醫學人才會因而流失，又說，相關措施有助拉近兩地執業水平。

Camson Tang

"camson tang" `
2006/11/07 PM 05:26

I have learned that the 衛生事務委員會會議 will be held on 2006年11月13日(星期一) and the Item Five of the Agenda is

Ⅴ. 中醫的註冊
(上午9時30分至10時正)

I believe that it was Mr Tung who proposed with an intention that Hong Kong be a Chinese Medicine Port and the Chinese Medicine Council of Hong Kong, CMCHK established in 1999.

Up to present moment, no statistics about the effectiveness and universal recognition of the Industry of Chinese Medicines in Hong Kong but the negative facts happen now and then, like the former Council Member of CMCHK, Kwan Chi Yi (translated), was complainted for non-issuing written prescription to his patients and patient(s) died after receiving herbal bath inside clinic as well as others.....

In addition, it's scare that our government of HKSAR had promoted the Industry.

Now, Mr Tung and Daniel TSE were gone and our government of HKSAR does not want to promote the industry. Then,

Please restore back to the operating environment prior to the establisement of CMCHk. Let's the practititoners themselves shoulder back all the likely civil and criminal offences for their mal-practice.

Please hand off the industry of Chinese Medicines in which I trust our current Chief Executive does not find any interest for developmnet; Otherwise it is not logic for not consider the following histroy of a professional body which had proved very successful nowsday:

"I take an example for the development of accounting industry by HKICPA in Hong Kong, which has been developing since 1975 when HKICPA cannot stand her own but relies on Association of Chartered Certified Accountants (ACCA) to help her development. Form 1975 to 2005, these 30 years, in order to build the accounting profession in Hong Kong, HKICPA admits the following professional accounting qualification UNILATERALLY:

Association of International Accountants (AIA)

Association of Chartered Certified Accountants (ACCA)

American Institute of Certified Public Accountants (AICPA)

Canadian Institute of Chartered Accountants (CICA)

The Chinese Institute of Certified Public Accountants (CICPA)

Chartered Institute of Management Accountants (CIMA)

Chartered Institute of Public Finance and Accountancy (CIPFA)

CPA Australia (CPAA)

Institute of Chartered Accountants in Australia (ICAA)

Institute of Chartered Accountants in England and Wales (ICAEW)

Institute of Chartered Accountants of Ireland (ICAI)

New Zealand Institute of Chartered Accountants (NZICA)

Institute of Chartered Accountants of Scotland (ICAS)

Institute of Chartered Accountants of Zimbabwe (ICAZ)

South African Institute of Chartered Accountants (SAICA)

In doing so, qualified professionals are attracted to Hong Kong to help build the industry and up to the year of 2005/06. HKICPA is strong and mature enough to stand her own herself and revise all the UNILATERAL recognitions for membership admission agreement with the above foreign bodies.

By now, memebership of above foreign bodies must be mutually recognised and even subject to HKIPCA's certain rules and regulations in order to seek the practise in Hong Kong.

By now, the case of TCM is rather similar to that of HKICPA in the late 1970s.

Why them not adopt the simlair approach as that of HKICPA? "

Thank you.
Camson Tang

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越俎代庖於法不合

由於一九九七年七月一日起，香港已成爲中國的特別行政區，所以目前其運作的準則應根據基本法來進行；而基本法一四二條中明確規定香港持別行政區政府在保留原有的專業制度的基礎上，自行制定有關評審各種專業的執業資的辦法。這裏暫且不討論如何制定專業資格執業辦法，首先須問的是，誰有權於七月一日以後的香港特區制定專業資格的執業辦法？答案很明確，就是香港特別行政區政府；同時基本法第五十九條，也同樣明確地寫明香港特別行政區政府是香港特別行政區行政機關，香港特別行政區之行政機關(包括其下屬有關司署)，才有權制定專業的執業資格辦法，而不是由現時的香港醫務委員會來制定。這點清楚明確從基本法中找到答案，亦與九七前香港法律一六一章中規定由醫務委員會這樣的法定團體〔 statutory body〕負責考試發牌和監管的做法完全不。由於基本法第八條中更指明香港原有法律，即普通法、衡平法、條例、附屬立法和習慣法〔當然也包括第一六一章〕，除與本法〔基本法〕相牴觸或經香港特別行政區的立法機關作出修改者外，予以保留。即表明香港原法律的一六一章中的條款也不得與基本法的條款有牴觸。

Replying

Please be understood that it is the Government of HKSAR who requests, initiated by relevant professional bodies concerned, for mutual recognition of professioal qualifications with Mainland through CEPA under which I hope ,you may recall, that Architects of PRC and Hong Kong have already enjoyed the mutual recognition of thier professioal qualification and the other professions, like Lawyers, Chinese Medicine Practitioners, Dentists as well as Accountants, are in the way of discussion.

Relating to Chinese Medicine Practitioners, the parties involved in discussion, I believe they will be the Health, Welfare and Food Bureau, Department of Health HK and Chinese Medicine Council of Hong Kong with their PRC counterpart of Ministry of Health.

As far as I was told, it is the Chinese Medicine Council of Hong Kong who does not want the occurance of mutual recognition of professioal qualification. I believe that if you are really a (PRC)Chinese Doctor, you should have heard of about the PRC's stance in this matter. If you are by now practising in Hong Kong and/or even a member of the Chinese Medicine Council of Hong Kong, then, I am too disappointed to continue the discussion with you as I have sent plenty of correspondence to the Health, Welfare and Food Bureau, Department of Health HK and Chinese Medicine Council of Hong Kong, the Office of Chief Executive and the Office of Chief Secretary for Administration of HKSAE since the January 2005 but all of them are disregarded.

You are the professional in the industry not a layperson, discussion should better be straight to the points.

Thank you.

Camson Tang

"camson tang"

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(上午9時30分至10時正)

I refer to 【明報專訊】attached below.

There are qualified professionals of chinese medicines, like to my wife, in Hong Kong. Please be a bit smart and / or flexible to allow the qualified professionals to practise here in Hong Kong rather than 擬降難度中醫試 as you always reply me by saying that only the person who holds full-time degree is the unique critiron to uphold the professional standard and for the beneift of the public.

For the benfit of better development of the industry of chinese medicine in Hong Kong, please allow PRC registered Chinese Medicine Practitioners a chance to work here.

Camson Tang

中醫試擬降難度助表列醫師

【明報專訊】註冊中醫考試制度設立至今6年，目前仍有2919名表列中醫未能通過考試成爲註冊中醫，對於他們的專業前路，衛生福利及食物局長周一嶽昨日開腔表明「短期內不會作決定令他們不可以繼 續執業」，明年開始更會「在不影響水準下」放寬考試要求，令考生更易及格，成爲註冊中醫。

衛福局長周一嶽昨晚出席中醫藥界國慶晚會時表示，當局關注到現時仍有約3000名表列中醫仍未考獲註冊中醫資格，而現行法例上，表列中醫只是一個「過渡性的安排」，但政府亦看到，過去數年中醫漸受港人接受，業界人士亦保持高度的專業水準和操守，故當局在短期內，不會就表列中醫考取註冊資格定下任何時間表。

3000人現制未獲資格

周說，中醫藥管理委員會亦會在考試方面作出配合，由明年開始，委員會將「令到考試在不影響水準下，考生更容易考獲及格」，當局亦會繼續和中醫界研究，如何令現時的表列中醫有機會進修和晉升爲註冊中醫。

據了解，有關考試要求的改變，包括將整個考試分開數張試卷，讓表列醫師逐步通過各項考試要求。

根據中醫藥管理委員會資料，目前全港共有5241名註冊中醫。中醫藥業界則指出，目前仍未考獲註冊中醫資格的表列中醫，大部分已在香港執業多年。

Thank you.

Camson Tang

"camson tang"

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(上午9時30分至10時正)

Below is the message that I have sent to the following parties for your reference.

Mr Jeff Leung, Principal Assistant Secretary for Health

Mr York Y N Chow, SBS, JP

Secretary for Health, Welfare and Food

Ms Sandra Lee, JP

Permanent Secretary for Health, Welfare and Food

I refer to the online news from Apple Daily. I really consider that no matter in commercial areas and/or the semi-governmental organizations, like the Chinese Medicine Council of Hong Kong, CMCHK, the majority members of which appears to be the "Yes-Man" of your Bureau. The rules of game of those members in CMCHK are just like the non-independent executive directors in 海 域 集 團. They do not argue for what is right or not and not rectify what is ought to be corrected in her policy. They just carry out what is being told, without inputing their professional judgement and even sacrificing their own dignity to keep the fake membership titles.

Hi.....

Camson Tang

"「 yes man 」 最 受 歡 迎

怎 樣 才 是 一 名 稱 職 的 非 執 行 董 事 呢 ? 去 年 英 國 研 究 公 司 Whitehead Mann 對 英 國 500 多 個 董 事 會 做 了 一 份 調 查 ， 名 爲 「 What makes an exceptional Non-Executive Director? 」 《 金 融 時 報 》 亦 有 報 道 。 該 調 查 報 告 的 結 論 指 出 ， 傑 出 的 非 執 行

董事，其中一項是：「They recognise their legal responsibility and have strong principles, acting as the conscience of shareholders」，即他們知道自己有法律責任，並有高度的原則作爲股東們的良心！

最有趣的是，該報告指出，最差的非執董便是那些「yes man」，他們只在董事會上充數，不會對任何問題進行爭論。筆者感到，本港的上市公司主席或大股東，查實不少頗喜歡這類「yes man」形的非執董，因爲他們不會對管理層構成障礙，最少不會在董事會上「阻手阻腳、搞寸個party」。

對一些老闆來說，請了一個傑出的非執董，分分鐘可能相等於「放一隻老鼠入米缸」，因爲這些非執董肯定會凡事問、凡事查證，對管理層構成極大不方便。所以筆者猜想，傑出的非執行董事，可能反而沒有人願意請。正如股壇長毛（David Webb），不少上市公司見到他在股東大會中出現已經怕怕，還敢請他做非執董嗎？
在美國，經常有小股東及投資者對疏忽及失職的上市公司董事及非執董等人，進行集體訴訟，及索取巨額賠償，所以對上市公司的管理層來講，可構成較大的阻嚇力。可是本港卻沒有類似機制，一般小股東亦沒有如此財力，足以聘請律師們爲他們追討，所以馬局長應該想想辦法。 Camson Tang

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在美國，經常有小股東及投資者對疏忽及失職的上市公司董事及非執董等人，進行集體訴訟，及索取巨額賠償，所以對上市公司的管理層來講，可構成較大的阻嚇力。可是本港卻沒有類似機制，一般小股東亦沒有如此財力，足以聘請律師們爲他們追討，所以馬局長應該想想辦法。 Camson Tang

"camson tang"

2006/11/07 PM 05:28

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V. 中醫的註冊
(上午9時30分至10時正)

I reter to The Secretary of Security Bureau that Hong Kong is lessening her requirements and standards in the immigration plan for attracting professionals coming to HK for prospering our domestic society.

It is clear that the Govt of HKSAR wants to recruit talented professionals to upgrade the quality of our population and I believe the other countries including USA, Australia are currently doing the same. But CMCHK, like a frog inside a well, practise exactly against the policies what the Govt of HKSAR and other countries have long to achieve.

I doubt very much that what the merits are for the better development and the future of the industry of chinese medicine in Hong Kong to have CMCHK still here. It's just wasting taxpayers' money.

It seems that CMCHK, without any decision power, only execute pre-set rules, the job of which can be satisfactorily accomplished by some junior, low ranking workers, the pay of them will be much for economical than that of now.

Camson Tang

"camson tang"

2006/11/07 PM 05:29

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V. 中醫的註冊
(上午9時30分至10時正)

Please Open the market for Chinese Medicines.

Self-containment is not an appropriate policy for today.

Camson Tang