

**立法會**  
**Legislative Council**

LC Paper No. CB(2)1107/12-13  
(These minutes have been seen  
by the Administration)

Ref : CB2/PL/HS

**Panel on Health Services**

**Minutes of special meeting**  
**held on Tuesday, 27 November 2012, from 2:30 pm to 5:30 pm**  
**in Conference Room 2 of the Legislative Council Complex**

- Members present** : Dr Hon LEUNG Ka-lau (Chairman)  
Dr Hon Joseph LEE Kok-long, SBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon CHAN Kin-por, BBS, JP  
Dr Hon Priscilla LEUNG Mei-fun, JP  
Hon CHEUNG Kwok-che  
Hon Charles Peter MOK  
Hon CHAN Han-pan  
Hon Alice MAK Mei-kuen, JP  
Dr Hon KWOK Ka-ki  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon Helena WONG Pik-wan  
Hon POON Siu-ping, BBS, MH  
Dr Hon CHIANG Lai-wan, JP
- Member attending** : Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon Albert CHAN Wai-yip  
Dr Hon Elizabeth QUAT, JP

**Public Officers attending** : Professor Sophia CHAN Siu-chee  
Under Secretary for Food and Health

Mr LEE Sheung-yuen  
Deputy Head, Healthcare Planning and Development Office  
Food and Health Bureau

Mrs Alice CHEUNG CHIU Hoi-yue  
Deputy Secretary (Commerce and Industry) 3  
Commerce and Economic Development Bureau

Dr Teresa LI Mun-pik  
Acting Assistant Director of Health (Special Health  
Services)  
Department of Health

**Attendance by invitation** : Hong Kong International Professional Trainers Association

Mr Allan LEUNG  
Vice-President

The Hong Kong Medical Association

Dr TSE Hung-hing  
President

Hong Kong Hair Dressing & Make-up Trade Workers General Union

Miss Rinbo CHAN

International CICA Association of Esthetics

Ms Sara LAW  
Executive Vice President

Hong Kong Beauty and Hair Care Employees' Union

Ms Sandra TSOI Lai-ha  
General Secretary

The Civic Party

Ms Fanny LEUNG  
District Developer of NTW

Hong Kong Beauty Management & Development  
Association

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Ms Winnie MA Ying-kam  
President

Hong Kong Beauty and Fitness Professionals General  
Union

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Ms Amy HUI Wai-fung  
Chairman

Hong Kong Doctors Union

Dr YEUNG Chiu-fat  
President

Hong Kong Hair & Beauty Merchants Association

Mr KONG Shu-lam  
First Vice-chairperson

Hong Kong Public Doctors' Association

Dr Kenneth FU Kam-fung  
President

Federation of Beauty Industry (HK)

Ms Posa LAM  
Chairman

Hong Kong Society of Plastic, Reconstructive &  
Aesthetic Surgeons

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Dr David WONG Sau-yan  
President

Hong Kong Association of Professional Aestheticians  
International

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Ms Teresa TSOI  
Executive Consultant

Beautiful Locations Ltd

Mr David YIP  
Director

Hong Kong Dental Hygienists' Association

Miss IP Wing-yan  
Chairperson

Hong Kong Sanatorium & Hospital

Dr Raymond YUNG Wai-hung  
Assistant Medical Superintendent

Service Industry General Union, The Hong Kong  
Federation of Trade Unions

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Mr Ken TONG Kang-yiu  
Chairman

The Cosmetic & Perfumery Association of Hong  
Kong Ltd

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Ms Elsa PUN  
Auditor

Hong Kong Physiotherapy Association

Dr Kris WONG  
Chairperson of the Electrophysical Therapy Specialty  
Group

Hong Kong Beauty Press Ltd

Mr IP Sai-hung  
Editor in Chief

The Hong Kong Ophthalmological Society

Dr Nancy YUEN Shi-yin  
President

The College of Ophthalmologists of Hong Kong

Dr Hunter YUEN Kwok-lai  
Council Member

Beautisky International Limited

Mr CHUNG Wai-ting  
Director

Beauty Care and Hairdressing Training Board of  
Vocational Training Council

Mr Jacky CHOI  
Chairman

The Hong Kong College of Otorhinolaryngologists

Dr Raymond MA Kwong-hon  
President

Hong Kong Council for Accreditation of Academic &  
Vocational Qualifications

Miss Catherine IP  
Head (Academic Accreditation & Audit)

The Provisional Hong Kong Academy of Nursing

Professor CHAIR Sek-ying

The Hong Kong College of Pathologists

Dr Dominic TSANG Ngai-chong  
Council Member

Association of Private Medical Specialists of Hong Kong

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Dr Samuel KWOK Po-yin  
Honorary Secretary

Hong Kong Private Hospitals Association

Dr Peter PANG Chi-wang  
Representative

The College of Surgeons of Hong Kong

Dr CHEUNG Wing-yung  
Plastic Surgery Board Chairman

The Pharmaceutical Society of Hong Kong

Ms Mary Catherine CHENG  
President

The Medical Council of Hong Kong

Professor Joseph LAU Wan-yee  
Chairman

Hong Kong Dental Association

Dr WONG Chi-wai  
Vice-President

Hong Kong Medical and Healthcare Device Industries Association

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Ir Dr Andros CHAN  
Deputy Chairman

The Lion Rock Institute

Miss FUNG Rui-xian  
Research Assistant

The Hong Kong Association of the Pharmaceutical Industry

Ms Sabrina CHAN  
Executive Director

Hong Kong Chiropractors Association

Dr David Cosman  
Ethics Chairperson

Austa Beauty Company Limited

Miss Jacqueline KWAN  
Business Development Director

The Federation of Medical Societies of Hong Kong

Dr YING Shun-yuen

The Society of Hospital Pharmacists of Hong Kong

Mr SO Yiu-wah  
Vice President

The Hong Kong Society of Dermatology and Venereology

Dr YEUNG Chi-keung  
Vice-Chairman

**Clerk in attendance** : Ms Elyssa WONG  
Chief Council Secretary (2) 5

**Staff in attendance** : Ms Maisie LAM  
Senior Council Secretary (2) 5

Ms Priscilla LAU  
Council Secretary (2) 5

Ms Michelle LEE  
Legislative Assistant (2) 5

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**I. Regulation of medical beauty treatments/procedures**

[LC Paper Nos. CB(2)74/12-13(01), CB(2)143/12-13(01), CB(2)242/12-13(01) to (15), CB(2)260/12-13(01) to (07), CB(2)267/12-13(01) to (06), CB(2)270/12-13(01) to (02), CB(2)278/12-13(01) to (03), CB(2)342/12-13(01) and IN02/12-13]

Members noted the background brief entitled "Regulation of medical beauty treatments/procedures" (LC Paper No. CB(2)242/12-13(01)) prepared by the Legislative Council Secretariat.

Views of deputations

2. At the invitation of the Chairman, the following 43 deputations presented their views on the regulation of medical beauty treatments/procedures -

- (a) Hong Kong International Professional Trainers Association;
- (b) The Hong Kong Medical Association;
- (c) Hong Kong Hair Dressing & Make-up Trade Workers General Union;
- (d) International CICA Association of Esthetics;
- (e) Hong Kong Beauty and Hair Care Employees' Union;
- (f) The Civic Party;
- (g) Hong Kong Beauty Management & Development Association;
- (h) Hong Kong Beauty and Fitness Professionals General Union;
- (i) Hong Kong Doctors Union;
- (j) Hong Kong Hair & Beauty Merchants Association;
- (k) Hong Kong Public Doctors' Association;
- (l) Federation of Beauty Industry (HK);
- (m) Hong Kong Society of Plastic, Reconstructive & Aesthetic Surgeons;



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- (n) Hong Kong Association of Professional Aestheticians International;
- (o) Beautiful Locations Ltd;
- (p) Hong Kong Dental Hygienists' Association;
- (q) Hong Kong Sanatorium & Hospital;
- (r) Service Industry General Union, The Hong Kong Federation of Trade Unions;
- (s) The Cosmetic & Perfumery Association of Hong Kong Ltd;
- (t) Hong Kong Physiotherapy Association;
- (u) Hong Kong Beauty Press Ltd;
- (v) The Hong Kong Ophthalmological Society;
- (w) The College of Ophthalmologists of Hong Kong;
- (x) Beautisky International Limited;
- (y) Beauty Care and Hairdressing Training Board of Vocational Training Council;
- (z) The Hong Kong College of Otorhinolaryngologists;
- (aa) Hong Kong Council for Accreditation of Academic & Vocational Qualifications;
- (bb) The Provisional Hong Kong Academy of Nursing;
- (cc) The Hong Kong College of Pathologists;
- (dd) Association of Private Medical Specialists of Hong Kong;
- (ee) Hong Kong Private Hospitals Association;
- (ff) The College of Surgeons of Hong Kong;
- (gg) The Pharmaceutical Society of Hong Kong;

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- (hh) The Medical Council of Hong Kong;
- (ii) Hong Kong Dental Association;
- (jj) Hong Kong Medical and Healthcare Device Industries Association;
- (kk) The Lion Rock Institute;
- (ll) The Hong Kong Association of the Pharmaceutical Industry;
- (mm) Hong Kong Chiropractors Association;
- (nn) Austa Beauty Company Limited;
- (oo) The Federation of Medical Societies of Hong Kong;
- (pp) The Society of Hospital Pharmacists of Hong Kong; and
- (qq) Hong Kong Society of Dermatology & Venereology.

3. Members also noted the written submissions from the following organizations –

- (a) Better Hong Kong Movement Association;
- (b) Hong Kong Academy of Medicine;
- (c) Hong Kong College of Paediatricians;
- (d) The Hong Kong College of Family Physicians;
- (e) Consumer Council; and
- (f) Hong Kong College of Physicians.

A summary of the views of deputations is in the **Appendix**.

The Administration's response to the views expressed by deputations

4. Responding to the views expressed by the deputations, Under Secretary for Food and Health ("USFH") advised that the Steering Committee on Review of the Regulation of Private Healthcare Facilities ("the Steering Committee") had been set up to conduct a review on the

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regulatory regime for private healthcare facilities in Hong Kong. The aim of the review was to strengthen regulatory control of private healthcare facilities in order to safeguard public health and consumer rights. Four working groups had been set up under the Steering Committee to, among others, differentiate medical procedures from beauty services taking into account the risk associated therewith; and hammer out the regulatory control of premises where high-risk medical procedures were conducted and health products were processed for advanced therapies. USFH undertook to relay the views of the deputations on the need to designate the personnel suitable to perform these procedures to the working groups for consideration, and took note of their views on the existing regulatory regime of undesirable medical advertisements and the proposed regulatory framework for medical devices.

5. As regards the deputations' concern about enhancing consumer protection for customers of beauty services against unfair trade practices, Deputy Secretary (Commerce and Industry) 3 ("DS(CI)3") advised that with the enactment of the Trade Descriptions (Unfair Trade Practices) (Amendment) Ordinance 2012 ("the Amendment Ordinance") in July 2012, false trade descriptions of services and the practice of wrongly accepting payment would be prohibited with a view to enhancing the scope of consumer protection. The coverage of the Amendment Ordinance would also be extended to services, which included beauty services. The Administration was currently in the process of formulating enforcement guidelines for reference of both traders and consumers. The Amendment Ordinance was expected to come into operation in 2013.

Discussion

*Qualifications Framework*

6. Dr Joseph LEE sought elaboration from the beauty industry on the qualification standards under the Qualifications Framework ("QF") and the number of workers who had obtained a qualification at QF Level 4. Ms Alice MAK enquired about the estimated number of workers whose qualifications were recognized under QF.

7. Mr IP Sai-hung of Hong Kong Beauty Press Ltd advised that he was a member of the Beauty Industry Training Advisory Committee. He explained that QF, which was launched by the Government in 2008, was a seven-level hierarchy covering qualifications in the academic, vocational and continuing education sectors. The Beauty Industry Training Advisory Committee was tasked to formulate a Specification of Competency Standards ("SCS") which set out the competency standards required of

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employees of the beauty industry at different levels under QF. A number of SCS-based training programmes had also been developed by various education and training institutions. These programmes and the related qualifications would be recognized under QF if their quality were assured by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications ("HKCAAVQ"). In addition, a Recognition of Prior Learning ("RPL") mechanism was in place to enable employees to seek formal recognition of the knowledge, skills and experience they acquired at the workplace. Ms Elsa PUN of The Cosmetic & Perfumery Association of Hong Kong Ltd advised that she had been appointed by HKCAAVQ as a specialist of the beauty sector to provide professional advice on the latest development in the sector. She supplemented that the Vocational Training Council was appointed as the Assessment Agency for the RPL scheme of the hairdressing industry, which covered QF Levels 1 to 4. Mr Ken TONG of Service Industry General Union, The Hong Kong Federation of Trade Unions commented that the participation rate of workers in the RPL scheme was low due to the inadequate promotion of the RPL scheme. That said, he saw no justification to appoint another assessment agency to re-assess the qualifications already acquired by the workers through other institutions.

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8. At the request of Dr Joseph LEE, USFH agreed to provide after the meeting information on SCS for the beauty industry and the number of workers in the industry whose qualifications were recognized under QF, with a breakdown by the QF levels.

*Regulation of premises providing medical beauty treatments*

9. Mr Vincent FANG declared interest as the Chairman of the Federation of Beauty Industry (HK). He was of the view that the recent incident causing one death and serious sickness of three other patients resulting from high-risk medical procedures involving a beauty services company and a laboratory processing health products for advanced therapies ("the medical beauty incident") was a medical incident, which was partly attributable to the lack of regulation over private medical clinics and laboratories operating outside the hospital setting. Noting with concern that the review conducted by the Steering Committee would take a year to complete and the long lead time required to complete the related legislative process, he expressed grave concern about the interim measures to be put in place to rebuild consumers' confidence in the beauty industry. Dr Joseph LEE expressed a similar concern. In his view, apart from requiring medical practitioners to register with the Medical Council of Hong Kong and observe requirements on professional conduct, there seemed to be no other

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regulation governing the operation of premises outside the hospital setting for the provision of private medical beauty treatments.

10. USFH advised that the Steering Committee had decided to set up four working groups, each of which would focus on a priority area and conduct in-depth research and work out options for the way forward. One of the working groups would be tasked to study the regulatory model of premises processing health products for advanced therapies. In the meantime, the Department of Health ("DH") would step up efforts in inspecting the premises concerned. Acting Assistant Director of Health (Special Health Services) supplemented that after the occurrence of the medical beauty incident, DH had identified more than 1 000 advertisements relating to the provision of beauty procedures. Among the 30-odd beauty services companies providing invasive procedures such as those involving injections, DH had so far conducted inspections on 19 companies. Eighteen out of these 19 companies claimed that the relevant procedures were performed by registered medical practitioners; the remaining one claimed to have ceased to provide the procedures concerned.

11. Dr Joseph LEE sought clarification as to whether it was a practice of the beauty trade that the performance of invasive procedures, such as Botox injection, would require consumers' prior written consent. Mr CHUNG Wai-ting of Beautisky International Limited advised that many beauty services companies with sizable operations would obtain written consent from their customers before performing medical beauty treatments/procedures, such as laser and intense pulse light ("IPL") treatments and injection of chemical substances and pharmaceutical products. Dr Joseph LEE urged the Administration to expeditiously introduce administrative measures, such as promulgating guidelines on premises suitable for the performance of high-risk invasive procedures; encouraging service providers to obtain prior written consent from their customers for the performance of high-risk invasive procedures; and encouraging beauty service companies to provide their customers with information on the possible risks and complications involved in receiving high-risk invasive procedures/treatments, in order to better protect consumers before the introduction of the relevant legislative proposals. USFH said that she would relay Dr LEE's suggestions to the working group for consideration, adding that according to the existing requirements on professional conduct, medical practitioners were required to provide patients with a clear explanation of the nature, benefits and risks of the proposed treatment and obtain their consent to the treatment.

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*Differentiation between medical treatments and beauty services*

12. Mr WONG Ting-kwong considered that the medical beauty incident revealed the malpractice of using beauty services companies as a front to improperly perform medical procedures, as there was no clear distinction between medical treatments and beauty services. He sought views from the Administration and deputations on whether invasiveness of procedures was a suitable criterion for differentiating medical treatments from beauty services; and if so, whether performance of invasive and non-invasive procedures had to be restricted to registered medical practitioners and licensed beauticians respectively.

13. USFH advised that one of the working groups set up under the Steering Committee would be tasked to differentiate between medical treatments and beauty services; invasiveness of procedures would be a factor for consideration. Ms Winnie MA of Hong Kong Beauty Management & Development Association said that apart from invasiveness, the differentiation should also take into account the risk level associated with the procedures. In her view, some low-risk and minimally invasive procedures, such as laser, IPL treatments and eyebrow tattooing, could be performed by trained beauticians with a certain level of expertise. Dr TSE Hung-hing of The Hong Kong Medical Association held the contrary view that the performance of all invasive procedures, regardless of their risk level, and the application of pharmaceutical products to the skin surface should be regarded as medical behaviours. In response to Ms Alice MAK's enquiry about the competence of trained beauticians to perform low-risk and minimally invasive procedures, Ms Amy HUI of Hong Kong Beauty and Fitness Professionals General Union said that beauticians had long been performing procedures such as eyebrow tattooing and acne needling, and due care would be exercised to ensure that all sterilization and wound management procedures were carried out properly to safeguard the safety of consumers.

14. In view of the divergent views of the beauty and the medical sectors on the adoption of invasiveness as a criterion to differentiate medical treatments from beauty services, Mr WONG Kwok-hing called on the Administration to be prudent in formulating the relevant regulatory regime.

15. The Chairman sought advice from Dr YEUNG Chi-keung of Hong Kong Society of Dermatology & Venereology on the chances that consumers seeking IPL treatments for acne scar or dark spots might, if examined by dermatologists, in fact be suffering from skin cancer. Dr YEUNG responded that it was important to ensure that the skin conditions were suitable for the performance of IPL treatments for

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beautifying purpose, as skin growths could be early symptoms of skin cancer and other skin conditions could look like acne.

*Regulation of medical devices*

16. Dr Helena WONG invited views from deputations on the regulation of medical devices, in particular the Medical Device Administrative Control System ("MDACS").

17. Ir Dr Andros CHAN of Hong Kong Medical and Healthcare Device Industries Association said that medical devices were clearly defined by the Global Harmonization Task Force and World Health Organization. He considered that it was now opportune to introduce statutory regulation of medical devices, as MDACS had been launched in phases since 2004 and the relevant Regulatory Impact Assessment and Business Impact Assessment had been completed. He surmised that the inclusion of beauty devices into the regulatory proposal was an obstacle to bring the early introduction of the legislation. Ms Sabrina CHAN of The Hong Kong Association of the Pharmaceutical Industry shared the view that a statutory control of medical devices should be introduced as early as possible, so that unregistered instruments, apparatuses and appliances that fell into the legal definition of medical devices could not be put on market for sale to safeguard public health.

*Unfair trade practices in respect of beauty services*

18. Dr Helena WONG asked whether the Customs and Excise Department, the principal enforcement agency of the Amendment Ordinance, would co-operate with DH in enforcing the legislation against unfair trade practices in respect of medical beauty treatments. DS(CI)3 replied in the positive. In response to Dr Helena WONG's further enquiry about the availability of enforcement guidelines, DS(CI)3 advised that the draft guidelines, which provided explanations and illustrative examples of unfair trade practices, were being developed and were expected to be ready for consultation with the trade in about two months' time. It was the intention of the Administration to bring the Amendment Ordinance into operation in 2013.

19. Pointing out that the practices of some unscrupulous beauty services companies might prevent consumers from making informed decisions on transactions according to their free will, Dr Helena WONG sought views from the Administration and deputations on the introduction of a cooling-off period to cover consumer transactions involving beauty services.

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20. Dr YING Shun-yuen of The Federation of Medical Societies of Hong Kong pointed out that it was common in other jurisdictions that a cooling-off period would be imposed on all transactions on/ delivery of high-risk cosmetic procedures. For instance, patients undergoing breast augmentation would be given a 14-day cooling-off period before surgery. Hence, it was necessary to first clearly define what constituted high-risk medical procedures. Reference could be made to the requirements in the United States, European Union and the Mainland where face lift, breast augmentation and reduction, large volume liposuction and abdominoplasty were classified as high-risk procedures that had to be performed in the hospital setting.

21. DS(CI)3 advised that the Administration had consulted the public in 2010 on a package of legislative proposals dealing with unfair trade practices, which included a proposal for the imposition of a mandatory cooling-off period. Divergent views were received in the consultation. While some respondents welcomed the proposal for a mandatory cooling-off period, the trades had expressed concerns about issues relating to the actual operation of the cooling-off period such as the refund and cancellation arrangements. Taking into account the lead time required to study how to address these concerns properly by legislation and the need to deal with unfair trade practices as soon as possible, the Administration decided to first take forward those legislative amendments on which there was already a consensus. That said, it should be noted that false trade descriptions of services, misleading omissions and aggressive commercial practices were prohibited under the Amendment Ordinance to safeguard consumer rights. DS(CI)3 assured members that the Administration would keep in view the implementation of the Amendment Ordinance after its coming into operation, and would examine the need to introduce cooling-off arrangements as and when necessary.

22. There being no other business, the meeting ended at 5:30 pm.



**Panel on Health Services**

**Meeting on Tuesday, 27 November 2012  
on regulation of medical beauty treatments/procedures**

**Summary of views and concerns expressed by deputations**

| <b>Organization / Individual</b>   | <b>Major views and concerns</b>   |
|--|---|
| <b>Regulation of medical beauty treatments/procedures</b>  |   |
| <ul style="list-style-type: none"><li>• The Association of Private Medical Specialists of Hong Kong</li><li>• The Hong Kong Association of the Pharmaceutical Industry</li><li>• The Hong Kong College of Otorhinolaryngologists</li><li>• The Hong Kong Doctors Union</li><li>• The Hong Kong Medical Association</li><li>• Hong Kong Public Doctors' Association</li><li>• The Hong Kong Private Hospitals Association</li><li>• Hong Kong Sanatorium &amp; Hospital</li><li>• The Hong Kong Society of Dermatology and Venereology</li><li>• Hong Kong Society of Plastic, Reconstructive &amp; Aesthetic Surgeons</li><li>• The Medical Council of Hong Kong</li></ul> | <ol style="list-style-type: none"><li>1. The deputations request a clear definition of medical treatment and call on the Administration to differentiate between medical treatments/procedures and beauty services. Apart from adopting a risk-based approach, some deputations also suggest that invasive procedures such as those requiring insertion of an instrument or device into the body or those resulting in permanent changes in facial features should be classified as medical treatments/procedures. There is also a view that the Administration should make reference to the practices of overseas jurisdictions.</li></ol> |

| <b>Organization / Individual</b>  | <b>Major views and concerns</b>  |
|---|--|
| <ul style="list-style-type: none"> <li>• The Association of Private Medical Specialists of Hong Kong</li> <li>• The College of Surgeons of Hong Kong</li> <li>• The Consumer Council</li> <li>• Hong Kong Academy of Medicine</li> <li>• The Hong Kong Association of the Pharmaceutical Industry</li> <li>• The Hong Kong College of Otorhinolaryngologists</li> <li>• The Hong Kong College of Paediatricians</li> <li>• The Hong Kong College of Family Physicians</li> <li>• The Hong Kong Doctors Union</li> <li>• The Hong Kong Medical Association</li> <li>• The Hong Kong Ophthalmological Society</li> <li>• Hong Kong Sanatorium &amp; Hospital</li> <li>• The Hong Kong Society of Dermatology and Venereology</li> <li>• Hong Kong Society of Plastic, Reconstructive &amp; Aesthetic Surgeons</li> <li>• The Medical Council of Hong Kong</li> <li>• The Pharmaceutical Society of Hong Kong</li> </ul> | <ol style="list-style-type: none"> <li>1. The deputations generally hold the view that medical treatments/procedures, such as those high-risk medical aesthetic procedures, should be performed by registered medical personnel at regulated premises only. Having regard to the advancement in the medical technology, some deputations consider that medical professionals performing high-risk aesthetic procedures should be properly trained and possess relevant experience. A risk-based regulatory framework should also be developed to regulate the performance of high-risk aesthetic procedures.</li> <li>2. Taking note of the guidelines on aesthetic practices for doctors promulgated in Singapore, there is also a view that a similar set of guidelines should be developed to regulate the performance of medical beauty treatments/procedures in Hong Kong.</li> <li>3. To ensure the safety of high-risk medical procedures, some deputations stress the need to review the regulation of private healthcare premises, ambulatory medical centres and non-medical facilities, such as beauty parlours.</li> </ol> |
| <ul style="list-style-type: none"> <li>• The College of Ophthalmologists of Hong Kong</li> <li>• The Hong Kong Ophthalmological Society</li> </ul>  | <ol style="list-style-type: none"> <li>1. The deputations point to the need to have a more comprehensive regulatory framework to regulate medical beauty treatments/procedures, taking into account the regulation on aesthetic practices for doctors in Singapore.</li> </ol>   |

| <b>Organization / Individual</b>   | <b>Major views and concerns</b>  |
|--|--|
| <ul style="list-style-type: none"> <li>• The Federation of Medical Societies of Hong Kong</li> <li>• The Hong Kong College of Pathologists</li> <li>• Hong Kong Sanatorium &amp; Hospital</li> <li>• Hong Kong Society of Plastic, Reconstructive &amp; Aesthetic Surgeons</li> <li>• The Medical Council of Hong Kong</li> <li>• The Pharmaceutical Society of Hong Kong</li> <li>• The Society of Hospital Pharmacists of Hong Kong</li> </ul> | <ol style="list-style-type: none"> <li>1. The deputations express concern over the regulation of medical procedures involving laboratories processing health products for advanced therapies. In their view, a comprehensive regulatory framework covering aseptic requirements of medical or clinical laboratories, supervision, monitoring, qualification of personnel, training and feedback system should be put in place in order to ensure patient safety.</li> <li>2. Some deputations hold the view that laboratories providing services in relation to the management of patients or processing health products for advanced therapies should be subject to a compulsory accreditation scheme and regulated through mandatory licensing.</li> </ol> |
| <ul style="list-style-type: none"> <li>• The Civic Party</li> <li>• Hong Kong College of Physicians</li> </ul>   | <ol style="list-style-type: none"> <li>1. The deputations consider that a clear distinction should be made between medical aesthetic procedures and ordinary beauty services in order to safeguard the safety and interest of consumers. All medical aesthetic procedures should be evidence-based and administered by qualified medical professionals.</li> </ol>   |
| <ul style="list-style-type: none"> <li>• Hong Kong Dental Association</li> </ul>   | <ol style="list-style-type: none"> <li>1. The deputation considers that beauty services companies and other non-clinical/non-dental companies should not be allowed to undertake any inter-oral treatments/procedures and professional dental treatment.</li> </ol>  |
| <ul style="list-style-type: none"> <li>• The Provisional Hong Kong Academy of Nursing Limited</li> </ul>   | <ol style="list-style-type: none"> <li>1. The deputation considers that the differentiation between high-risk medical procedures and low-risk non-invasive beauty services should be defined. All high-risk and invasive procedures should be carried out in regulated healthcare facilities and performed by registered medical practitioners or registered nurses depending on the complexity and invasiveness of the procedures.</li> </ol>   |

| <b>Organization / Individual</b>  | <b>Major views and concerns</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• Austa Beauty Company Limited</li> <li>• The Cosmetic &amp; Perfumery Association of Hong Kong Ltd</li> <li>• Federation of Beauty Industry (HK)</li> <li>• Hong Kong Beauty and Fitness Professionals General Union</li> <li>• Hong Kong Beauty and Hair Care Employees' Union</li> <li>• Hong Kong Beauty Management &amp; Development Association</li> <li>• Hong Kong Beauty Press Ltd</li> <li>• Hong Kong Hair &amp; Beauty Merchants Association</li> <li>• Hong Kong Hair Dressing &amp; Make-up Trade Workers General Union</li> <li>• Hong Kong International Professional Trainers Association</li> <li>• International CICA Association of Esthetics</li> <li>• Service Industry General Union, The Hong Kong Federation of Trade Unions</li> </ul> | <p>1. The deputations generally consider that the recent incident causing one death and serious sickness of three other patients involving a beauty services company and laboratory processing health products for advanced therapies is a medical incident, which is not related to the practice of the beauty industry. While the deputations support the differentiation between medical treatments/procedures and beauty services so as to clearly delineate the treatments and services to be performed by medical professionals and beauty care practitioners, they also express concern about the over regulation of the beauty industry. They call on the Administration to consult the trade extensively on the regulation of the beauty industry.</p> |
| <ul style="list-style-type: none"> <li>• Association of Private Medical Specialists of Hong Kong</li> <li>• The Hong Kong Association of the Pharmaceutical Industry</li> <li>• The Pharmaceutical Society of Hong Kong</li> <li>• The Provisional Hong Kong Academy of Nursing Limited</li> </ul>  | <p>1. The deputations propose that a written informed consent should be obtained from customers before they receive the high-risk and invasive medical procedures to ensure that all customers are well aware of the risk involved in the procedures.</p>   |

| <b>Organization / Individual</b>  | <b>Major views and concerns</b>  |
|---|--|
| <ul style="list-style-type: none"> <li>• The Hong Kong Doctors Union</li> <li>• The Hong Kong Medical Association</li> <li>• The Hong Kong Society of Dermatology and Venereology</li> </ul>  | <p>1. The deputations propose that the directors of companies providing medical treatments should be registered medical practitioners, so that they would be held liable for any misconduct, as well as other liabilities in connection with these companies. There is also a view that such companies should be registered with the Medical Council.</p>  |
| <b>Regulation of medical devices</b>  |  |
| <ul style="list-style-type: none"> <li>• The Association of Private Medical Specialists of Hong Kong</li> <li>• Better Hong Kong Movement Association</li> <li>• The Consumer Council</li> <li>• The Hong Kong Association of the Pharmaceutical Industry</li> <li>• Hong Kong Medical and Healthcare Device Industries Association</li> <li>• The Hong Kong Medical Association</li> <li>• Hong Kong Sanatorium &amp; Hospital</li> <li>• Hong Kong Society of Plastic, Reconstructive &amp; Aesthetic Surgeons</li> </ul> | <p>1. The deputations express grave concern about the regulation of medical devices. They urge the Administration to introduce regulatory control over the possession and operation of medical devices. They are also of the view that only professionally qualified persons may operate such devices. Some deputations consider that the use and operation of high-powered lasers and intense pulsed light ("IPL") equipment should be confined to qualified medical professionals.</p>                             |
| <ul style="list-style-type: none"> <li>• Hong Kong Physiotherapy Association</li> </ul>   | <p>1. Apart from regulating medical beauty treatments/procedures, the deputation also considers it necessary to regulate the safety, performance and quality of medical devices. Taking into account the training received by physiotherapists, the deputation is of the view that physiotherapists should be exempted from any means of examination or validation process upon the implementation of regulatory control on authorized persons treating dermatological conditions using electro-physical agents.</p> |

| <b>Organization / Individual</b>   | <b>Major views and concerns</b>   |
|--|---|
| <ul style="list-style-type: none"> <li>• Austra Beauty Company Limited</li> <li>• Beautiful Locations Ltd</li> <li>• Beautisky International Limited</li> <li>• Beauty Care and Hairdressing Training Board of Vocational Training Council</li> <li>• Hong Kong Beauty and Fitness Professionals General Union</li> <li>• Hong Kong Beauty and Hair Care Employees' Union</li> <li>• Hong Kong Hair &amp; Beauty Merchants Association</li> <li>• Hong Kong International Professional Trainers Association</li> </ul> | <ol style="list-style-type: none"> <li>1. The deputations consider that the use of optical radiation equipment such as laser and IPL should not be confined to registered medical personnel only. Non-medical personnel such as those working in the beauty industry who are properly trained should be allowed to continue to use such devices.</li> <li>2. The deputations point out that the Vocational Training Council has provided training to beauticians and only qualified beauticians can operate IPL equipment. To further enhance the professional level of beauticians, some deputations call on the Administration to put in place a mechanism under which only those beauticians who meet the stipulated requirements would be allowed to operate such equipment.</li> </ol> |
| <b>Regulation and development of the beauty industry</b>   |   |
| <ul style="list-style-type: none"> <li>• Federation of Beauty Industry (HK)</li> <li>• Hong Kong Association of Professional Aestheticians International</li> <li>• International CICA Association of Esthetics</li> </ul>   | <ol style="list-style-type: none"> <li>1. The deputations point out that the Beauty Industry Training Advisory Committee has drawn up the Specification of Competency Standards ("SCS") for the beauty industry. SCS sets out the competency standards required to perform tasks at different levels in the industry and the competency standards would be grouped together to form a qualification at a particular level. The deputations are of the view that the development of SCS and implementation of Qualifications Framework in the beauty industry are conducive to the professional development of beauticians as well as the development of self-regulation of the industry.</li> </ol>   |
| <ul style="list-style-type: none"> <li>• Austra Beauty Company Limited</li> <li>• Hong Kong Association of Professional Aestheticians International</li> </ul>   | <ol style="list-style-type: none"> <li>1. The deputations consider that the Administration should provide assistance and support in the promotion of the professional development of beauticians as well as the development of the beauty industry.</li> </ol>  |

| <b>Organization / Individual</b>  | <b>Major views and concerns</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• Hong Kong Beauty Management &amp; Development Association</li> <li>• Hong Kong Beauty Press Ltd</li> </ul>   |   |
| <ul style="list-style-type: none"> <li>• The Civic Party</li> <li>• Hong Kong Academy of Medicine</li> <li>• Hong Kong College of Paediatricians</li> <li>• Hong Kong Dental Association</li> <li>• Hong Kong Society of Plastic, Reconstructive &amp; Aesthetic Surgeons</li> </ul>  | <ol style="list-style-type: none"> <li>1. The deputations are concerned about the lack of regulation in the beauty industry. In their view, beauty services companies should be properly regulated. Most deputations consider that beauty services companies should not be allowed to provide medical treatments/procedures.</li> <li>2. There is a suggestion that a licensing system as well a demerit point system should be put in place to regulate the beauty industry and penalize those non-compliant beauty services companies.</li> </ol>                                       |
| <ul style="list-style-type: none"> <li>• Hong Kong Dental Hygienists' Association</li> </ul>  | <ol style="list-style-type: none"> <li>1. Pointing out the risk posed to customers of dental beauty services provided by some beauty services companies, the deputation call on the Administration to regulate the provision of dental beauty services by beauty services companies.</li> </ol>   |
| <b>Regulation of misleading beauty services advertisements</b>  |   |
| <ul style="list-style-type: none"> <li>• The Association of Private Medical Specialists of Hong Kong</li> <li>• The Civic Party</li> <li>• Consumer Council</li> <li>• The Federation of Medical Societies of Hong Kong</li> <li>• Hong Kong Chiropractors Association</li> <li>• The Hong Kong College of Family Physicians</li> </ul> | <ol style="list-style-type: none"> <li>1. The deputations express deep concern about the misleading advertisements in relation to medical beauty services. They urge the Administration to strengthen regulation over those non-evidence based and misleading beauty services advertisements involving medical treatments/procedures through reviewing and extending the scope of the Undesirable Medical Advertisements Ordinance (Cap. 231) and the Trade Description Ordinance (Cap. 362).</li> <li>2. Some deputations consider that both the Department of Health and the</li> </ol> |

| <b>Organization / Individual</b>  | <b>Major views and concerns</b>  |
|---|--|
| <ul style="list-style-type: none"> <li>• Hong Kong College of Physicians</li> <li>• Hong Kong Dental Association</li> <li>• Hong Kong Hair Dressing &amp; Make-up Trade Workers General Union</li> <li>• The Hong Kong Medical Association</li> <li>• Hong Kong Society of Plastic, Reconstructive &amp; Aesthetic Surgeons</li> <li>• The Pharmaceutical Society of Hong Kong</li> <li>• The Society of Hospital Pharmacists of Hong Kong</li> </ul> | <p>Customs and Excise Department should step up their enforcement actions against misleading and untruthful advertisements relating to beauty services found in the media and the Internet.</p> <p>3. Some deputations call on the Administration to step up publicity and education to assist members of the public in understanding the relevant risks before purchasing beauty care services.</p> |
| <ul style="list-style-type: none"> <li>• The Medical Council of Hong Kong</li> </ul>  | <p>1. The deputation expresses concern about the regulation on misleading advertisements made by private healthcare bodies such as private hospitals and overseas healthcare institutions, as well as the appearance of medical practitioners in the advertisements of formula milk and medical devices.</p>   |
| <b>Others</b>   |  |
| <ul style="list-style-type: none"> <li>• The Lion Rock Institute</li> </ul>   | <p>1. The deputation considers that it is the doctor's responsibility to ensure the safety of medical procedures as well as the operation of medical equipment. Doctors should be fully responsible for the outcomes of their medical treatments.</p>  |
| <ul style="list-style-type: none"> <li>• The Hong Kong Council for Accreditation of Academic and Vocational Qualifications</li> </ul>   | <p>1. The deputation explains the roles and functions of the Hong Kong Council for Accreditation of Academic and Vocational Qualifications under the Qualifications Framework as well as their Four-Stage Quality Assurance Process.</p>   |



| <b><u>Name of Organization</u></b>   | <b><u>Submission [LC Paper No.]</u></b> |
|--|---|
| Association of Private Medical Specialists of Hong Kong                    | LC Paper No. CB(2)260/12-13(06)         |
| Beauty Care and Hairdressing Training Board of Vocational Training Council | LC Paper No. CB(2)260/12-13(05)         |
| Better Hong Kong Movement Association                                      | LC Paper No. CB(2)242/12-13(13)         |
| The Civic Party  | LC Paper No. CB(2)278/12-13(01)         |
| Consumer Council   | LC Paper No. CB(2)267/12-13(06)         |
| The College of Ophthalmologists of Hong Kong                               | LC Paper No. CB(2)260/12-13(03)         |
| The Cosmetic & Perfumery Association of Hong Kong Ltd                      | LC Paper No. CB(2)260/12-13(07)         |
| Federation of Beauty Industry (HK)   | LC Paper No. CB(2)242/12-13(05)         |
| Hong Kong Academy of Medicine  | LC Paper No. CB(2)242/12-13(14)         |
| The Hong Kong Association of the Pharmaceutical Industry                   | LC Paper No. CB(2)342/12-13(01)         |
| Hong Kong Association of Professional Aestheticians International          | LC Paper No. CB(2)242/12-13(07)         |
| Hong Kong Beauty Management & Development Association                      | LC Paper No. CB(2)242/12-13(04)         |
| Hong Kong Beauty Press Ltd   | LC Paper No. CB(2)260/12-13(01)         |

| <b><u>Name of Organization</u></b>  | <b><u>Submission [LC Paper No.]</u></b> |
|---|---|
| The Hong Kong College of Family Physicians                                  | LC Paper No. CB(2)260/12-13(04)         |
| The Hong Kong College of Otorhinolaryngologists                             | LC Paper No. CB(2)267/12-13(02)         |
| Hong Kong College of Paediatricians   | LC Paper No. CB(2)242/12-13(15)         |
| Hong Kong College of Physicians   | LC Paper No. CB(2)270/12-13(02)         |
| Hong Kong Council for Accreditation of Academic & Vocational Qualifications | LC Paper No. CB(2)278/12-13(02)         |
| Hong Kong Doctors Union   | LC Paper No. CB(2)270/12-13(01)         |
| Hong Kong Hair & Beauty Merchants Association                               | LC Paper No. CB(2)267/12-13(01)         |
| The Hong Kong College of Otorhinolaryngologists                             | LC Paper No. CB(2)267/12-13(02)         |
| Hong Kong Dental Association  | LC Paper No. CB(2)267/12-13(04)         |
| Hong Kong Medical and Healthcare Device Industries Association              | LC Paper No. CB(2)242/12-13(12)         |
| The Hong Kong Medical Association   | LC Paper No. CB(2)242/12-13(02)         |
| The Hong Kong Ophthalmological Society                                      | LC Paper No. CB(2)260/12-13(02)         |
| Hong Kong Physiotherapy Association   | LC Paper No. CB(2)242/12-13(08)         |

| <b><u>Name of Organization</u></b>                                | <b><u>Submission [LC Paper No.]</u></b>   |
|---|---|
| Hong Kong Private Hospitals Association                           | LC Paper No. CB(2)242/12-13(10)           |
| Hong Kong Society of Plastic, Reconstructive & Aesthetic Surgeons | LC Paper No. CB(2)242/12-13(06)           |
| International CICA Association of Esthetics                       | LC Paper No. CB(2)242/12-13(03)           |
| The Lion Rock Institute   | LC Paper No. CB(2)267/12-13(05) (Revised) |
| The Medical Council of Hong Kong                                  | LC Paper No. CB(2)267/12-13(03)           |
| The Pharmaceutical Society of Hong Kong                           | LC Paper No. CB(2)242/12-13(11)           |
| The Provisional Hong Kong Academy of Nursing                      | LC Paper No. CB(2)242/12-13(09)           |
| The Society of Hospital Pharmacists of Hong Kong                  | LC Paper No. CB(2)278/12-13(03)           |

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