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Panel on Health Services

**Background brief prepared by the Legislative Council Secretariat
for the meeting on 18 March 2013**

Development of Chinese medicine

Purpose

This paper summarizes the concerns of the members of the Panel on Health Services ("the Panel") and the Subcommittee on Registration of Proprietary Chinese Medicines ("the Subcommittee") on the development of Chinese medicine.

Background

Regulatory framework of Chinese medicine

2. The Chinese Medicine Ordinance (Cap. 549) ("the Ordinance"), enacted in July 1999, provides a statutory framework for the regulation of the practice, use, trading and manufacturing of Chinese medicines in Hong Kong. Based on the principle of professional self-regulation, the Chinese Medicine Council of Hong Kong ("CMCHK") has been established under the Ordinance to, among others, develop and implement these regulatory measures. A Chinese Medicine Practitioners Board and a Chinese Medicines Board ("CMB") have also been set up under CMCHK to assist it in pursuing its functions.

3. Under the Ordinance, all Chinese medicine practitioners ("CMPs") should be registered before they can practise Chinese medicine in Hong Kong. The Ordinance also provides for transitional arrangements for persons who were

practising Chinese medicine on 3 January 2000 to become listed CMPs. As at 8 March 2013, there were 6 563 registered CMPs, 2 732 listed CMPs and 75 CMPs with limited registration (i.e. CMPs engaged in clinical teaching or research in designated educational or scientific research institutions).

4. The Ordinance also stipulates that all proprietary Chinese medicines ("pCm") must be registered by CMB before they can be imported, manufactured or sold in Hong Kong. To be registered, all pCm must meet the registration requirements prescribed by CMB regarding their safety, efficacy and quality. Mandatory registration of pCm has taken effect from 3 December 2010. The requirements of label and package inserts of pCm have come into effect since 1 December 2011. In view of the history of sales of pCm in Hong Kong, the Ordinance provides for transitional arrangements for pCm manufactured, sold or supplied for sale on 1 March 1999.

5. Chinese medicines traders are also required under the Ordinance to first obtain a licence issued by CMB before they can carry on a business in the retail and wholesale of Chinese herbal medicines, or wholesale and manufacture of pCm. This licensing system became fully effective on 11 January 2008. To minimize disruptions to the existing Chinese medicine traders, the Ordinance provides for transitional arrangements for traders who were engaging in the Chinese medicines business on 3 January 2000 to continue their business. All transitional arrangements will end on a date to be appointed by the Secretary for Food and Health.

6. As at 8 March 2013, there were 861 Chinese herbal medicines wholesalers, 4 480 Chinese herbal medicines retailers, 295 pCm manufacturers and 1 067 pCm wholesalers. Separately, 8 853 Notice of Confirmation of Transitional Registration of pCm, 307 Certificate of Registration of pCm and 894 Notice of Confirmation of (Non-Transitional) Registration of pCm (i.e. applications that have submitted three acceptable basic test reports on heavy metals and toxic element, pesticide residues and microbial limit) have been issued.

7. Currently, the Good Manufacturing Practice ("GMP") requirement in respect of pCm in Hong Kong is not mandatory. Nevertheless, pCm manufacturers may apply to CMB for a Certificate for Manufacturer ("GMP Certificate"), certifying that they follow the requirements of good practices in manufacture and quality control of pCm. So far, 11 out of the 295 pCm manufacturers have been awarded the GMP Certificate.

8. To further enhance the regulation of Chinese medicines, it was announced in the 2010-2011 Policy Address that a timetable for mandatory compliance with GMP for manufacture of pCm would be worked out. In May 2011, CMB recommended the adoption of the Pharmaceutical Inspection Convention and Pharmaceutical Inspection Co-operation Scheme ("PIC/S") GMP standard as a licensing requirement for local manufacturers in pCm, and implementation of PIC/S GMP standard in four years.

Provision of public Chinese medicine outpatient services

9. Given that the knowledge base of Chinese medicine has not been systematically built up in Hong Kong and there is little research to further the development of Chinese medicine practice, the Administration has announced the establishment of 18 public Chinese Medicine Centres for Training and Research ("CMCTRs") (or commonly known as "Chinese medicine clinics" ("CMCs")) to promote the development of "evidence-based" Chinese medicine. The initial target of the Administration is to establish 18 CMCs by 2005. So far, 17 CMCs have been established.

Standards and testing of Chinese medicines

10. To safeguard public health and facilitate research and trade in Chinese medicines, the Department of Health ("DH") has been developing the Hong Kong Chinese Materia Medica Standards ("HKCMMS") since 2002 to ascertain the authenticity, safety and quality of commonly used Chinese Materia Medica. The Hong Kong Council for Testing and Certification, established in 2009, also identifies Chinese medicines as one of the four selected trades to have good opportunities to promote the use of testing and certification services. As at December 2012, five editions of HKCMMS covering standards for a total of 140 Chinese Materia Medica have been published.

11. On the research and development ("R&D") of Chinese medicines, the Innovation and Technology Fund has been providing funding support to universities, R&D institutions and companies to conduct, among others, applied research projects relating to R&D and testing of Chinese medicines. A Committee on Research and Development of Chinese Medicines was set up in December 2011 to explore strategies to promote R&D and testing of Chinese medicines in Hong Kong.

Training and professional development of CMPs

12. Three local universities (i.e. The University of Hong Kong, The Chinese University of Hong Kong and the Hong Kong Baptist University ("HKBU")) offer full-time University Grants Committee ("UGC")-funded degree programmes in Chinese medicine. Graduates of these programmes are eligible for the CMP Licensing Examination to qualify as registered CMPs. A Steering Committee on Strategic Review on Healthcare Manpower Planning and Professional Development was established by the Administration in January 2012 to conduct a strategic review on healthcare manpower planning and professional development. The review covers 13 healthcare professions including CMPs who are subject to statutory regulation. The Administration aims to conclude the review in 2013.

Deliberations of the Panel and the Subcommittee

13. The Panel discussed issues relating to Chinese medicine at a number of meetings since 2000, and received the views of deputations at two meetings. The Subcommittee held four meetings from June 2011 to January 2012 to study issues relating to the mandatory registration of pCm. The deliberations and concerns of members are summarized below.

Integration of Chinese medicine into the public healthcare system

14. Given that the progress of setting up CMCs in the public sector had lagged far behind the original schedule, members urged the Administration to expedite its pace to provide the Chinese medicine outpatient service in the 18 districts as planned. The Administration explained that the progress of establishing CMCs in the 18 districts would be determined having regard to the availability of sites. The criteria for selecting suitable sites included accessibility, proximity to residential areas, timing of availability of the sites for conversion works, as well as whether the clinics would be able to attract sufficient number of patients to sustain themselves financially and their impact on the private Chinese medicine practice in the surrounding areas.

15. Members were concerned about the plan of the Administration to further integrate the Chinese and Western medicine in the public healthcare system to

provide well-suited medical treatment to patients. In particular, there were suggestions that a Chinese medicine hospital should be set up for the provision of Chinese medicine inpatient services, and additional scores should be given to the tenderers for the two sites at Wong Chuk Hang and Tai Po reserved for private hospital development if their tender proposals included the provision of Chinese medicine services.

16. According to the Administration, there had been increasing interface between Chinese and Western medicine in public hospitals in recent years. More than 20 public hospitals had provided Chinese and Western medicine shared care services for the treatment of specific illnesses, such as cancers, chronic diseases and pain management. The Administration would consider proposals from any organizations interested in developing Chinese medicine hospitals.

17. Noting that the redeveloped Kwong Wah Hospital ("KWH") would accommodate reprovisioned facilities for enhanced Chinese and Western medicine hospital services, including designated floor areas for the provision of inpatient integrated Chinese and Western medicine services with 56 beds to be operated by the Tung Wah Group of Hospitals ("TWGHs"), there was a view that HA should provide the service as part of its standard services. The Administration advised that at present, efforts in promoting the development of Chinese medicine were focused on the levels of primary care and general outpatient services. It was considered that the Chinese medicine services to be provided in the redeveloped KWH should continuously be operated by TWGHs. However, the Administration adopted an open attitude towards whether such services should be subsidized by public money.

Registration system for CMPs

18. Members called on the Administration to enhance assistance to listed CMPs to help them meet the registration requirements. There was a view that the Administration should not set a cut-off date for listed CMPs to become registered CMPs. Consideration should also be given to including the fee-charging courses on the CMP Licensing Examination in the list of reimbursable courses for the Continuing Education Fund. The Administration advised that to encourage listed CMPs to take part in the CMP Licensing Examination, the format and arrangements of the Examination had been revised since 2007. DH had also organized talks on examination skills to help listed

CMPs better demonstrate their knowledge and experience in Chinese medicine in the Examination. Local Chinese medicine associations had also organized Chinese medicine courses for listed CMPs to prepare them for the Examination. The fees of most of these courses were low, and some of these Chinese medicine associations had, having regard to individual circumstances, waived the fees for the students.

Control over Chinese medicines

19. Concern was raised about the requirement that existing licensed Chinese medicine traders who were carrying out their business on domestic premises had to relocate to suitable premises by 31 December 2013 to continue their business. Given that there had not been any consultation with the trade on the above requirement, there was a view that the requirement should be shelved.

20. According to the Administration, CMB had decided in 2011 that it was not suitable for Chinese medicine traders to continue conducting Chinese medicine business on domestic premises, in contravention of relevant ordinances. Only the licenses of those traders who were still carrying out their business on domestic premises would be renewed until 31 December 2013. The Administration had maintained communication with the trade on the above arrangement. A number of traders had also relocated their business to suitable premises in order to comply with the requirement.

21. Members were concerned about the impact of the mandatory registration of pCm on the trade. In particular, many members considered the existing definition and classification categories of pCm too stringent and the costs of complying with the provisions related to the mandatory registration of pCm too high to be affordable by the small and medium-sized pCm traders. They urged the Administration to enhance its support measures to facilitate the trade's compliance with the registration requirements; and maintain close communication with the trade on the liability that might be borne by various parties for the sale of non-compliant pCm and clearly stipulate such liability in the relevant guidelines issued by CMB.

22. There were also suggestions that consideration should be given to confining the definition of "possession of pCm" under section 119 of the Ordinance to possession of pCm for the purpose of sale; and formulate a new classification category, such as "Empirical formula", to accommodate pCm which

might not fulfil the standards of "Established medicines" or "New medicines" but had been sold in Hong Kong for many years and empirically proved safe or harmless for use.

Standards and testing of Chinese medicines

23. Many members expressed dissatisfaction with the progress of the Pilot Study to develop HKCMMS for Chinese herbal medicines and urged the Administration to expedite the pace of the development. According to the Administration, it took time to develop the regulatory standards of Chinese herbal medicines as there were presently no international standards regarding the safety and quality of the herbs.

24. On whether more funding would be provided to support clinical research in Chinese medicine, the Administration advised that research in Chinese medicine was mainly carried out in local universities through funding support from the Research Grant Council of UGC. Where necessary, consideration would be given to setting up a dedicated fund to support research in Chinese medicine.

Training of Chinese medicine personnel

25. Pointing out that local Chinese medicine graduates were required to attach to the Chinese medicine hospitals in the Mainland to undergo clinical training, members were concerned about the lack of clinical training grounds in the local hospital setting for these graduates.

26. The Administration advised that non-governmental organizations ("NGOs") operating CMCs were required to employ at least five local full-time Chinese medicine bachelor's degree graduates from the three local universities to provide them with training. Fresh graduates would be engaged as junior CMPs in the first year and as CMP trainees in the second and third years. In 2011-2012, a total of 200 graduates were employed by the 16 CMCs. On the view that KWH could be redeveloped as a teaching hospital on integrative Chinese and Western medicine in the long term, the Administration advised that it would not rule out that TWGHs would engage local universities to utilize the redeveloped KWH as a training platform for this field.

27. Concern was also raised about the employment opportunities of local Chinese medicine graduates. According to the Administration, there should be

no great difficulty for these graduates to obtain employment after graduation, as CMCs, the Chinese Medicine Division of DH, and the Chinese medicine clinics run by the private sector and NGOs presently provided a number of job opportunities for these graduates which numbered about 70 each year.

Collaboration with the Mainland

28. There was a suggestion that the Administration should enhance collaboration with Guangdong Province to promote the development of Chinese medicine in Hong Kong. The Administration advised that it had close ties with Guangdong Province in the development of Chinese medicine in Hong Kong. For instance, senior professors in Chinese medicine from Guangdong Province had been invited to come to work at local universities and public CMCs to provide teaching, research and patient consultation through a limited registration system.

Latest developments

29. The Chief Executive announced in his 2013 Policy Address the establishment of the Chinese Medicine Development Committee to give recommendations to the Government concerning the direction and long-term strategy of the future development of Chinese medicine in Hong Kong. The Committee will focus its deliberations on a number of key areas, including enhancing the professional standard and status of CMPs; strengthening R&D of Chinese medicine; promoting treatment with integrated Chinese and Western medicine; expanding the role of Chinese medicine in the public healthcare system; and introducing Chinese medicine in-patient services. The first meeting of the Committee was held on 4 March 2013.

30. There was recently wide public concern about the grant of land to tertiary institutions for supporting the development of Chinese medicine teaching hospitals. According to the Government statement dated 4 March 2013 on Hong Kong Baptist University's request to use the site of the former campus of Hong Kong Institute of Vocational Education (Lee Wai Lee) (**Appendix I**), the Government currently does not have a policy to provide individual organizations with government land for the development of self-financed Chinese medicine hospitals. It will only consider proposals to build self-financed Chinese medicine hospitals on private land or applications to change land use of land

already allocated to the organization proposing to develop a private Chinese medicine hospital. If any institution subsequently wishes to use this facility to offer internship opportunities for its students and applies for extra funding from UGC, UGC will process and consider the institution's application in accordance with established procedures. However, UGC will not finance the construction of the medical facility.

Relevant papers

31. A list of the relevant papers on the Legislative Council website is in **Appendix II**.

Council Business Division 2
Legislative Council Secretariat
15 March 2013

Press Releases 4 March 2013

Government statement on Hong Kong Baptist University's request to use former campus of Hong Kong Institute of Vocational Education (Lee Wai Lee)

The Government today (March 4) issued the following statement to clarify misconceptions and set the record straight regarding the request by the Hong Kong Baptist University (HKBU) to use the whole site of the former campus of the Hong Kong Institute of Vocational Education (Lee Wai Lee) at Renfrew Road, Kowloon Tong (ex-IVE(LWL) site):

The Government notes that HKBU and relevant parties have recently put forward various claims over their request to use the whole ex-IVE(LWL) site, some of which are factually incorrect. The Government's detailed responses are set out at Annex.

The Government reiterates that the Administration has submitted the proposal to the Town Planning Board (TPB) to rezone the southern portion of the ex-IVE(LWL) site to residential use after taking account of the fact that the northern portion of the site has already been reserved for higher education use by HKBU. If fully utilised, the northern portion of the site can fully meet HKBU's requirements for student hostels and academic space according to the prevailing policy. After assessment, the Government has taken the view that it is not necessary to reserve the southern portion of the site for higher education or other "Government, Institution and Community" uses.

On HKBU's proposal to construct a self-financed Chinese medicine hospital, the Government stresses that, as a private medical facility, the proposed hospital is no different from other private hospitals. The Government currently does not have a policy to provide individual organisations with government land for the development of self-financed Chinese medicine hospitals, and therefore does not support the development of a private Chinese medicine hospital at the southern portion of the ex-IVE (LWL) site which is a government site.

Campus development of HKBU

The Government and the University Grants Committee (UGC) actively supports HKBU and other UGC-funded institutions in their campus development on a fair and consistent basis in accordance with well-established policies. In recent years, HKBU has been granted more than 4,000 square metres of government land and public funding of nearly \$1.2 billion to construct new academic buildings, providing nearly 30,000 square metres of academic space and bringing about significant improvements to campus conditions. At present, 93.6% of HKBU's requirements for academic space have been met, placing it second among the eight UGC-funded institutions and first among the four institutions located in the urban area of Hong Kong Island and Kowloon.

The ex-IVE(LWL) site has never been included within HKBU's campus boundary even though it is at close proximity with the university. In recent years, HKBU has made various different proposals on the use of the site at different junctures. Nonetheless, some of these proposals included only brief textual descriptions without sufficient details as normally provided in

public works projects. As abovementioned, the Government has reserved 6,000 square metres of land at the northern portion of the said site for HKBU's campus development. If fully utilised, this will fully meet the requirements for some 2,000 square metres of academic floor space and 1,331 student hostel places according to the prevailing policy and calculation formula. As for the southern portion of the site, it is beyond the requirements of HKBU under existing policy. The Government stresses that there is no justification to allocate this portion of the site to HKBU for education purpose under the principle of fairness.

HKBU's request for development of Chinese medicine hospital at the southern portion of the ex-IVE(LWL) site

On HKBU's proposal to develop a Chinese medicine hospital, the Government reiterates that Chinese medicine hospitals are medical facilities that mainly serve the general public, and any proposal to set up a Chinese medicine hospital should first and foremost be considered from the perspectives of healthcare and community needs. The Government is committed to developing Chinese medicines and will consider proposals from interested organisation to develop self-financed Chinese medicine hospital on private land. If any organisation, with the support from the Food and Health Bureau, wishes to develop a Chinese medicine hospital, and any institution subsequently wishes to use this facility to offer internship opportunities for its students and applies for extra funding from the UGC, the UGC will process and consider the institution's application in accordance with established procedures. However, the UGC will not finance the construction of the medical facility.

In recent years, HKBU has put forward various ideas on the development of a Chinese medicine hospital, and submitted a detailed proposal in November 2011 with supplementary information in September 2012 on a joint project with the Tsim Sha Tsui District Kai Fong Welfare Association (TSTKFWA) to develop a Chinese medicine hospital at the Association's building. The proposal contained detailed information, such as the mode of collaboration with TSTKFWA, proposed timetable for the development, feasibility study report, the budget, etc. The Government all along supports this proposal. The proposal is also a clear illustration that it is not a must for a Chinese medicine hospital to be located next to an institution offering Chinese medicine courses. The Government was only formally notified by HKBU on February 18, 2013 of the withdrawal of its joint project with TSTKFWA. In that letter, HKBU mentioned that it considered the ex-IVE(LWL) site to be the most suitable site for building the Chinese medicine hospital.

The Government stresses that there is currently no established policy to provide government land for the development of a private Chinese medicine hospital. The Government will only consider proposals to build self-financed Chinese medicine hospitals on private land or applications to change land use of land already allocated to the organisation proposing to develop a private Chinese medicine hospital. Hence the Government could not possibly have promised to allocate the southern portion of the ex-IVE(LWL) site to HKBU to develop a Chinese medicine hospital. The Government has in fact received proposals from other organisations to develop Chinese medicine hospitals, and should a policy to provide government land for development of Chinese medicine hospitals be formulated in future, such land will be disposed in a fair, just and open manner. HKBU indicated that

they had encountered considerable technical difficulties in the joint project with TSTKFWA. Should HKBU remain interested in the project, relevant government departments will continue to render assistance to take it forward. However, the Government does not support the development of a Chinese medicine hospital on government land at the ex-IVE(LWL) site.

After assessment, the Government has taken the view that the southern portion of the ex-IVE(LWL) site is suitable for rezoning to residential use in order to meet housing needs. The proposed rezoning is being taken forward in accordance with statutory town planning procedures. The TPB exhibited the relevant draft Outline Zoning Plan for public inspection on February 15 this year. Any person can make representation in respect of the amendments to the TPB during the two-month consultation period.

Regarding the criticism that the inclusion of the ex-IVE (LWL) site into the Land Sale Programme next year is not in line with established procedures, the Government stresses that it is the Administration's practice to include all anticipated government sites that are expected to become available in a certain year into that year's Land Sale Programme. This could provide clear information about the anticipated land supply to the market so that the market could be prepared. These sites include individual sites which need to undergo various processes (e.g. termination of short-term tenancies, completion of public works, completion of statutory planning process for amendments of Outline Zoning Plans, etc) and thus are not immediately available but are expected to be available for sale within the year. The relevant departments will accord priority and expedite the required processes with a view to ensuring early completion. We are fully aware that some of the sites including the southern portion of the ex-IVE(LWL) site would require the completion of the statutory procedures for amending the relevant Outline Zoning Plans before they can be put to the market.

Responding to remarks made by some relevant organisations on the possibility of taking further actions over the request to use the whole ex-IVE(LWL) site, the Government reiterates its respect for the freedom of expression but does not wish to see any such activities affecting student learning. Land resources are valuable in Hong Kong and the supply of urban land suitable for residential use is scarce. The Government hopes that different sectors of the community would adopt a fair and rational attitude when considering the future use of the southern portion of the ex-IVE(LWL) site, having regard to the best interests of Hong Kong's overall development.

Ends/Monday, March 4, 2013
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(Translation)

	HKBU's Claims*	Government's Responses
1	Campus Development of HKBU	
1.1	<p>“Both the site area of the HKBU campus (about 5.4 hectares) and its per capita site area for students of publicly-funded undergraduate programmes are the smallest among all funded higher education institutions.”¹</p>	<p>Different institutions have varying geographical conditions (such as proportion of usable land within campus, geographical locations, development parameters of the respective lots, topology of campus buildings, etc.), and we should not make a simplistic comparison of “site areas” among different individual institutions. The UGC currently takes into account various parameters such as the total number of students and the space required by their disciplines of study (for instance, courses that involve laboratory teaching may need more space) to assess the net operational floor area required by an institution. This is in line with international practice.</p> <p>Even if measured by “per capita site area for students of UGC-funded programmes”, the HKBU still ranks third among the four institutions located in urban area. This has yet to take account of the 3.6-hectare Joint Sports Centre immediately adjacent to HKBU’s Shaw Campus in Renfrew Road, the day-to-day operation of which is managed by the university.</p>
1.2	<p>“The 0.64 hectare of land in the northern portion of the site mentioned in the Government’s proposal is not sufficient for constructing all the 1 700 student hostel places, not to mention providing extra teaching space required by the HKBU.”²</p>	<p>If the HKBU fully utilises the 0.64 hectare of land in the northern portion of the former campus of the Hong Kong Institute of Vocational Education (Lee Wai Lee) (ex-IVE(LWL) site) for providing student hostels and the necessary teaching facilities, it will be able to fully meet its outstanding requirements for over 2 000 m² of academic floor space and 1 331 (not 1 700) student hostel places under the existing policy.</p>
1.3	<p>“Quality education does not only take place in indoor operating area. Having a larger campus will bring considerable benefits to student learning.”³</p>	<p>In Hong Kong, lots available for development in general, including those for education use, are subject to development parameters (such as maximum site coverage, maximum plot ratio and maximum building height) set out under the Building (Planning) Regulations and the relevant Outline Zoning Plans. The development parameters have already taken into consideration the balance between requirements for indoor and outdoor space.</p>
1.4	<p>“Education is a long-term</p>	<p>The northern portion of the ex-IVE (LWL) site currently reserved will</p>

* Some claims are quoted from documents issued by HKBU in Chinese only and have been translated into English.

¹ Paragraph 4, HKBU’s letter to Kowloon City District Council (KCDC) Members dated 27 February 2013, <http://www.lwlsite.hkbu.edu.hk/pdf/letter_to_DC.pdf>.

² Slide 8, Annex 3 to HKBU’s letter to KCDC Members dated 27 February 2013.

³ Paragraph 4 of page 1, HKBU’s letter to Legislative Council (LegCo) Members dated 18 February 2013, <http://cpro.hkbu.edu.hk/hkbunews/20130218_Letter_to_LegCo.pdf>.

	HKBU's Claims*	Government's Responses
	investment. If land is needed by the university for new projects in future, it may have to resort to sites away from the campus, which is undesirable in terms of environmental protection, sustainable development of society as well as school management.” ⁴	<p>be able to meet all HKBU's requirements up to the 2014/15 academic year under the prevailing policies.</p> <p>In the long term, even if there are any additional requirements for land by the HKBU in the future, there is a well-established mechanism within the Government at present to identify suitable land for the HKBU. Depending on the specific use, the land concerned may not need to be adjacent to the existing campus. In fact, the HKBU has recently submitted a proposal to the Government to use the former Royal Air Force Station at Kwun Tong Road on a long term basis. The proposal emphasised the benefits of having the Academy of Visual Arts operating at the same time on the main campus in Kowloon Tong and the Kwun Tong Road campus.</p>
1.5	“There has long been a shortage of sites for use by local higher education institutions. The total shortfall is 80 000 m ² of operating area.” ⁵	<p>The Government and the UGC have been supporting the UGC-funded institutions to construct publicly-funded academic facilities and student hostels in accordance with established policies and calculation criteria.</p> <p>For institutions which still have campus space for development, we encourage them to select suitable location for constructing the necessary academic facilities and student hostels or to carry out redevelopment or extension of their existing buildings so as to fully utilise and optimise the use of their campuses.</p> <p>On the other hand, for institutions which have additional requirements for space, we are discussing with them the feasibility of constructing student hostels or academic facilities in various locations.</p>
2	HKBU's proposal to construct a self-financed Chinese medicine hospital	
2.1	“The HKBU first put forward ...a proposal to develop a Chinese medicine teaching hospital to EDB in 2009...At a meeting held in October 2012, the HKBU indicated clearly to the concerned FHB official that the Tsim Sha Tsui plan would be suspended and expressed that the ex-IVE (LWL) site was the most suitable site for constructing the Chinese medicine teaching hospital. At that	<p>The HKBU has put forward to the Food and Health Bureau (FHB) various ideas on the development of a Chinese medicine hospital (CMH), including:</p> <p><u>September 2009</u> Letter to propose developing a CMH and other facilities. In the letter, it was mentioned that “in terms of the site, we propose constructing a Chinese medicine hospital in urban areas for the convenience of the public. The ex-IVE(LWL) site in Kowloon Tong is one of the preferable sites... Of course, <u>other conveniently located sites can also be considered</u>”;</p> <p><u>June 2011</u> Letter to advise that the university had found common ground with the Tsim Sha Tsui District Kai Fong Welfare Association (TSTKFWA) in</p>

⁴ Last paragraph of page 2, HKBU's letter to KCDC Members dated 27 February 2013.

⁵ Slide 7, Annex 3 to HKBU's letter to KCDC Members dated 27 February 2013.

	HKBU's Claims*	Government's Responses
	<p>time, the official concerned responded positively and emailed to the HKBU on the same day expressing that he would discuss the feasibility of developing the hospital at the ex-IVE site with the Lands Department and EDB.”⁶</p>	<p>establishing a CMH at the Association's building;</p> <p><u>November 2011 and September 2012</u> Submission of a detailed proposal and supplementary information on the development of a CMH in Tsim Sha Tsui, which included detailed information about the mode of collaboration with the TSTKFWA, the timetable for developing the CMH in Tsim Sha Tsui, feasibility study report, budget, etc;</p> <p><u>September and November 2012</u> It submitted proposals to the UGC in September and November 2012 on developing a student hostel at the ex-IVE (LWL) site. <u>It had not mentioned in these proposals its discussion with the FHB on the development of the CMH;</u></p> <p><u>October 2012</u> At an informal meeting, HKBU mentioned the difficulties encountered in developing the CMH at the site of the TSTKFWA and that it was also interested in developing the hospital on the ex-IVE (LWL) site. It subsequently provided via email a one-page layout plan which only shows the location of the CMH and the number of beds being contemplated. The plan did not contain any other information. With a formal CMH proposal from HKBU still on the table, the Government could not follow-up on an informal aspiration from the university that was not substantiated with details;</p> <p><u>18 February 2013</u> HKBU wrote to the Government to formally withdraw its proposal with the TSTKFWA and submitted a non-site specific CMH proposal. In its letter, HKBU also mentioned that it considered the ex-IVE (LWL) site to be the most suitable site for building the CMH.</p> <p>The Government emphasises that as a private medical facility, the CMH proposed by HKBU is no different from other private hospitals. At present, the FHB does not have a policy to provide government land to individual organisations for the purpose of developing CMHs, and can only consider proposals to construct such hospitals on privately owned land. As such, the Government does not support the development of a CMH on the ex-IVE (LWL) site.</p>
2.2	<p>“At present, Chinese medicine students have to go to the Mainland for their internship. However, due to the different medical</p>	<p>At present three local universities are offering UGC-funded programmes of Chinese medicine, all of which comprise an established element of clinical internship made possible by institutions partnering with local Chinese medicine clinics and Mainland Chinese medicine hospitals. Graduates of these programmes are all recognised by the</p>

⁶ Paragraph 4 of page 2, HKBU's letter to LegCo Members dated 18 February 2013.

	HKBU's Claims*	Government's Responses
	<p>systems adopted in Hong Kong and the Mainland, their learning experience in the Mainland cannot be fully applied in Hong Kong.”⁷</p>	<p>Chinese Medicines Board of the Chinese Medicine Council of Hong Kong and are eligible for the Chinese Medicine Practitioners Licensing Examination to qualify as registered practitioners. None of these three universities operates any CMH.</p> <p>Even if a CMH in Hong Kong provides clinical internship opportunities for students in future, it is not a must for such a CMH to be close to the institution campus. In fact, currently many hospitals offering opportunities for internship are not located in the immediate vicinity of the institutions.</p>
3	HKBU's request to use the southern portion of the ex-IVE (LWL) site	
3.1	<p>“The site is surrounded by the HKBU campus on three sides and has all along been regarded as part of the HKBU campus. Moreover, the site, which is adjacent to HKBU's buildings and student hostels, is also subject to height restriction and hence undesirable for residential use.....”⁸</p>	<p>The ex-IVE (LWL) site has never been included in the HKBU campus area, and part of its boundary on the east is immediately adjacent to the Kowloon Tong Fire Station at present. Government policy should always remain rational, fair and consistent, and the Government should not allocate a site to an individual institution simply because it is next to the institution.</p> <p>It is very common in Hong Kong to have residential developments located close to a teaching block or a student hostel of a university. At the meeting of the Metro Planning Committee of the Town Planning Board on 25 January 2013, this was also discussed and members generally agreed that residential development in the southern portion of the site was considered not incompatible with the surrounding developments.⁹</p>
3.2	<p>“Since 2005, the HKBU has repeatedly taken the initiative to submit proposals to the Government, urging the Government to grant the entire site of the ex-IVE (LWL) to the HKBU for long-term development. However, the Government has not given any official reply.”¹⁰</p>	<p>In recent years, HKBU has made various different proposals on the use of the site at different junctures. Nonetheless, some of these proposals included only brief textual descriptions without sufficient details as normally provided in public works projects. This notwithstanding, the relevant officials have maintained close communication with the HKBU to explain the Government's position and policies on sites for educational use.</p> <p>In fact, the Government has set aside over 6 000 m² of land in the northern portion of the ex-IVE (LWL) site for higher education use as a measure to support the HKBU to fully utilise the site for providing student hostels and the necessary teaching facilities, so that the HKBU will be able to meet all its remaining requirements for some 2 000 m² of academic floor space and 1 331 student hostel spaces under the existing policy.</p>

⁷ Last paragraph of page 2, Annex 2 to HKBU's letter to KCDC Members dated 27 February 2013.

⁸ Paragraph 3 of page 2, HKBU's letter to LegCo Members dated 18 February 2013.

⁹ Paragraph 75, Minutes of meeting, <http://www.info.gov.hk/tpb/en/meetings/MPC/Minutes/m482mpc_e.pdf>.

¹⁰ Paragraph 4 of page 3, HKBU's letter to KCDC Members dated 27 February 2013.

	HKBU's Claims*	Government's Responses
3.3	<p>“We are absolutely against using the site for developing screen-like luxury residential buildings ...”¹¹</p>	<p>The proposed residential site is intended for medium-rise, medium-density residential developments with a maximum plot ratio of 4.5 and a building height restriction of 50m. Assessments indicate that the future residential development will not cause significant adverse impact to the nearby environment in terms of visual impact and air ventilation. Separately, the set of practice notes stipulating the sustainable building design guidelines promulgated by the Buildings Department can also help prevent the presence of screen-like buildings.</p>
3.4	<p>“The Government’s decision to include the site in the Land Sale Programme before the procedure has been completed and despite the strong opposition of the HKBU community appears to bypass the Town Planning Board and the District Council and to make the rezoning a <i>de facto</i> reality.”¹²</p>	<p>It is the Administration’s practice to include all anticipated government sites expected to become available in a certain year into the Land Sale Programme of that year. This could provide clear information about the anticipated land supply to the market so that the market could be prepared. These sites include individual sites which need to undergo various processes (e.g. termination of short-term tenancies, completion of public works, completion of statutory planning process for amendments of Outline Zoning Plans, etc) and thus are not immediately available but are expected to be available for sale within the year. The relevant departments will accord priority and expedite the required processes with a view to ensuring early completion. The Government is fully aware that some of the sites including the southern portion of the ex-IVE(LWL) site would require the completion of the statutory procedures for amending the relevant Outline Zoning Plans before they can be put to the market.</p>

¹¹ Paragraph 3 of page 2, Annex 2 to HKBU’s letter to KCDC Members dated 27 February 2013.

¹² Paragraph 2, HKBU’s email to its staff, students and alumni dated 1 March 2013, <http://www.lwlsite.hkbu.edu.hk/pdf/ACTION_Ucommunity_1mar2013_e.pdf>.

Relevant papers on development of Chinese medicine

Committee	Date of meeting	Paper
Panel on Health Services	13.11.2000 (Item IV)	Agenda Minutes
Panel on Health Services	25.10.2002 (Item I)	Agenda Minutes
Panel on Health Services	10.2.2003 (Items IV and V)	Agenda Minutes CB(2)1267/02-03(01)
Panel on Health Services	12.5.2003 (Item III)	Agenda Minutes
Panel on Health Services	8.12.2003 (Item IV)	Agenda Minutes CB(2)945/03-04(01)
Panel on Health Services	25.2.2005 (Item VI)	Agenda Minutes CB(2)1444/04-05(01)
Panel on Health Services	13.6.2005 (Item VI)	Agenda Minutes
Panel on Health Services	14.11.2005 (Item VI)	Agenda Minutes
Panel on Health Services	13.11.2006 (Item V)	Agenda Minutes CB(2)576/06-07(01) CB(2)1253/06-07(01)
Panel on Health Services	14.5.2007 (Items IV and V)	Agenda Minutes CB(2)2534/06-07(01)

Committee	Date of meeting	Paper
Panel on Health Services	12.11.2007 (Items V and VI)	Agenda Minutes CB(2)1081/07-08(01)
Panel on Health Services	17.10.2008 (Item I)	Agenda Minutes
Panel on Health Services	16.10.2009 (Item I)	Agenda Minutes
Panel on Health Services	12.7.2010 (Items III and IV)	Agenda Minutes
Panel on Health Services	15.10.2010 (Item I)	Agenda Minutes
Panel on Health Services	17.1.2011 (Item I)	Agenda Minutes
Panel on Health Services	15.2.2011 (Item I)	Agenda Minutes
Panel on Health Services	20.10.2011 (Item I)	Agenda Minutes
Panel on Health Services	7.5.2012 (Item I)	Agenda Minutes
Panel on Health Services	11.6.2012 (Item III)	Agenda Minutes CB(2)55/12-13(01)
Panel on Health Services	21.1.2013 (Item IV)	Agenda
Subcommittee on Registration of Proprietary Chinese Medicines	--	Report