

立法會
Legislative Council

LC Paper No. CB(3) 746/15-16

Ref : CB(3)/B/FH/1 (15-16)

Tel : 3919 3308

Date : 28 June 2016

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 29 June 2016

Medical Registration (Amendment) Bill 2016

Committee stage amendments

Members were informed vide LC Paper No. CB(3) 735/15-16 issued on 24 June 2016 that the President had given permission for the Secretary for Food and Health to move Committee stage amendments (“CSAs”) to the Bill. Members are invited to note that the President has also given permission for Dr Hon KWOK Ka-ki, subject to the Bill receiving Second Reading, to move his CSAs.

2. As directed by the President, the CSAs are attached for Members’ consideration.

(Lilian MOK)
for Clerk to the Legislative Council

Encl.

Medical Registration (Amendment) Bill 2016

Committee Stage

Amendments to be moved by Dr Honourable KWOK Ka-ki

<u>Clause</u>	<u>Amendment Proposed</u>
4	<p>By deleting the clause and substituting—</p> <p>“4. Section 3 amended (establishment and composition of Council)</p> <p>(1) Section 3(2)(d), (da) and (db)—</p> <p>Repeal</p> <p>“2 registered medical practitioners”</p> <p>Substitute</p> <p>“1 registered medical practitioner”.</p> <p>(2) Section 3(2)—</p> <p>Repeal paragraph (g)</p> <p>Substitute</p> <p>“(g) 8 lay members appointed by the Chief Executive—</p> <p>(i) 3 of whom are elected by the organizations specified by the Permanent Secretary for Food and Health (Health) under subsection (3AA) in accordance with the guidelines issued by him or her in consultation with those organizations; and</p> <p>(ii) 1 of whom is nominated by the Consumer Council;”.</p> <p>(3) Section 3(2)(h)—</p> <p>Repeal</p> <p>“2 registered medical practitioners”</p> <p>Substitute</p> <p>“1 registered medical practitioner”.</p>

(4) Section 3(2)(j)—

Repeal

“7”

Substitute

“11”.

(5) After section 3(3)—

Add

“(3AA) The Permanent Secretary for Food and Health (Health) may, for the purposes of subsection (2)(g)(i), specify, by notice published in the Gazette, organizations that, in his or her opinion, represent the interests of patients.”.

(6) After section 3(7)—

Add

“(7A) The 4 vacancies of the offices of members of the Council under subsection (2)(j) which arise immediately after the commencement date of section 4(4) of the Medical Registration (Amendment) Ordinance 2016 (of 2016) are to be filled by candidates elected by the election, not being an election referred to in subsection (5B), held under the Election Regulation next after the commencement date of that section of that Ordinance.”.

New

By adding after clause 12—

“12A. Section 35 amended (transitional)

After section 35(9)—

Add

“(10) If, on the commencement date of section 4 of the Medical Registration (Amendment) Ordinance 2016 (of 2016), the term of office of a member of the Council referred to in section 3(2)(d), (da), (db), (h) or (j) as in force immediately before that date has not yet

expired, the member may continue to hold office until the member's term of office expires."."

Medical Registration (Amendment) Bill 2016

Committee Stage

Amendment to be moved by Dr Honourable KWOK Ka-ki

<u>Clause</u>	<u>Amendment Proposed</u>
11	<p>By deleting the clause and substituting—</p> <p>“11. Section 21B amended (meetings of Council for purpose of an inquiry)</p> <p>(1) Section 21B—</p> <p>Repeal subsection (1)</p> <p>Substitute</p> <p>“(1) At each meeting of the Council (within the meaning of section 21(7)) held for an inquiry under section 21, 5 persons form a quorum if—</p> <p>(a) at least one of them is a member of the Council mentioned in section 3(2) who is a registered medical practitioner;</p> <p>(b) at least one of them is a lay member of the Council mentioned in section 3(2), or a lay assessor; and</p> <p>(c) at least one of them is a registered medical practitioner mentioned in subsection (2).</p> <p>(1A) In addition, the majority of the persons present at the meeting must be registered medical practitioners.”.</p> <p>(2) Section 21B(2)(a), (b), (c), (d) and (e)—</p> <p>Repeal</p> <p>“2”</p> <p>Substitute</p> <p>“4”.</p>

(3) Section 21B(2)(e)—

Repeal

“and”.

(4) After section 21B(2)(e)—

Add

“(ea) 8 registered medical practitioners who are members of the Hong Kong Medical Association and nominated by the Association; and”.

(5) Section 21B(2)(f)—

Repeal

“4”

Substitute

“14”.

(6) Section 21B—

Repeal subsection (3).”.